TRUE WEST

December 1965
35¢

WITHIN THE CODE
—J. Frank Dobie

Walt Coburn's Tally Book

Last Days of a Plainsman
—Hickok's Final Hours
Described by a Friend

He Helped Scalp Maj. Elliott's 21 Soldiers

Salt Lake City Grave Robber

Fight on the Musselshell

Oregon's Bohemia Mines

The Ward Massacre

Wild Goose Bill

Non-Fiction
This is the way the West
REALLY WAS!
Have a Look Inside

REVISED STATUTES OF TEXAS 1879

The Saga of Judge Roy Bean

BOOK BONUS VINEGARROON! CONCLUSION

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tiger tamers!

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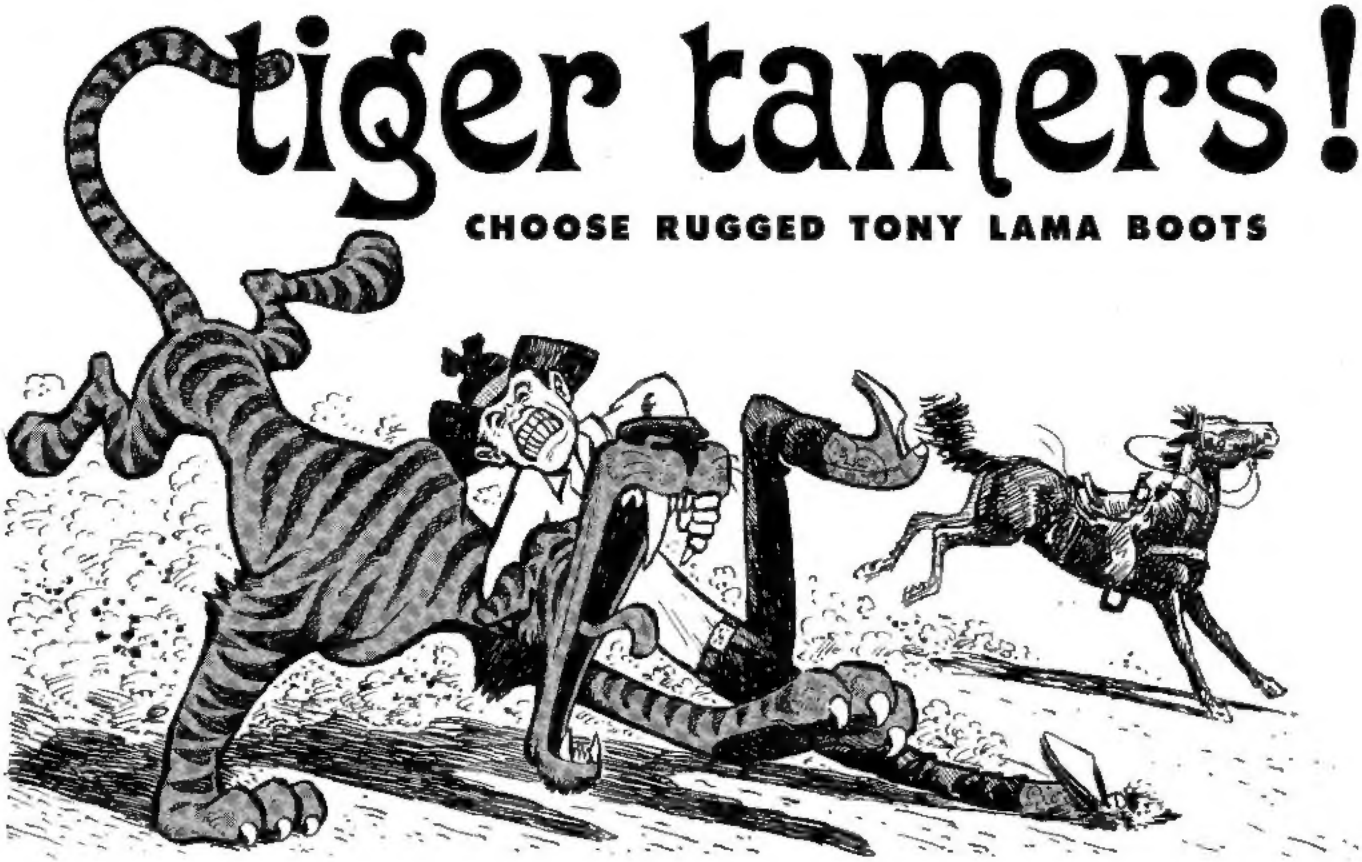

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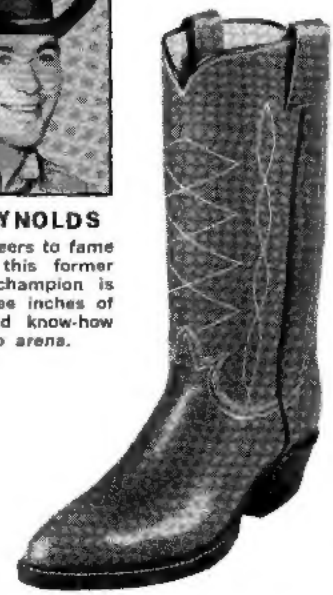

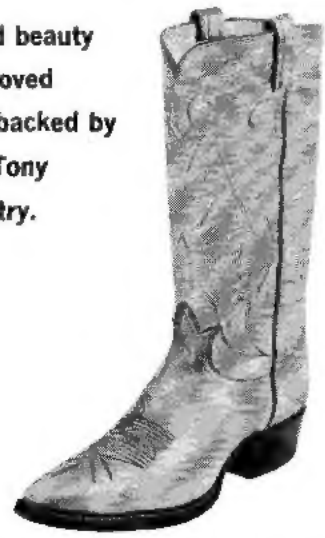

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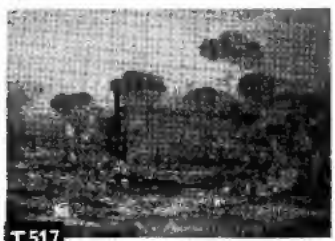

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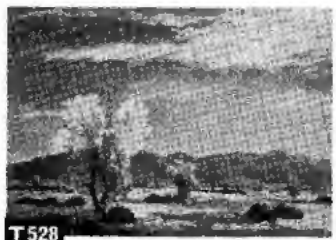

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FOUL ANCHOR

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Box 206F Rye, New York

November-December, 1965

Volume 13, No. 2

Whole No. 72

True West

All True—All Fact—Stories of the Real West

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"The files of TRUE WEST and FRONTIER TIMES are going to be of great historical value and should be preserved in all the libraries of the country."—Walter Prescott Webb, former President, American Historical Association.

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A "SMALL" PUBLICATION

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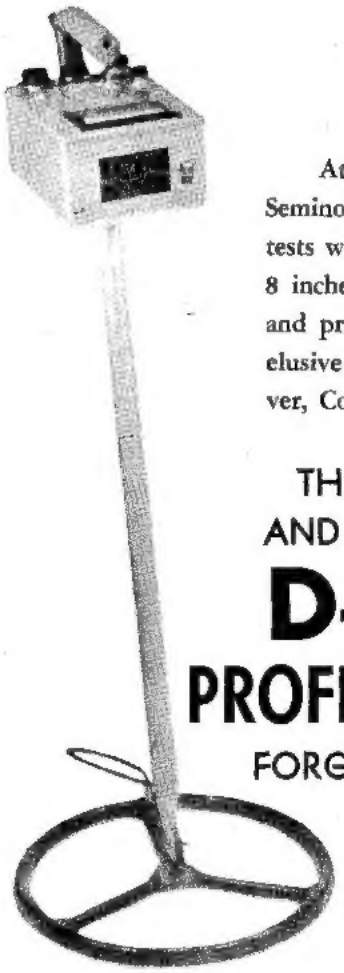

D-TEX WINS AGAIN!

WINNER AND STILL CHAMPION . . .

At the NATIONAL TREASURE HUNTERS FIELD TRIALS held September 4th and 5th at Seminole, Oklahoma, the D-TEX detectors were the complete and overall winners. The first contests were finding 1¼" metal squares that had been planted and plowed under to a depth of 6 to 8 inches. In these first three contests the D-TEX was winner over all types of detectors. On the last and prize winning event, Jerry McCarty of New Orleans, Louisiana was the winner with 93 of the elusive little metal squares found in only 30 minutes. Second place went to Herman Rowe of Denver, Colorado with 75 squares and third place went to Denny Weeks of Canton, Mississippi.

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The competition was of top caliber with treasure hunters from 10 or more states competing for the top money. There were metal detectors of all makes and also a few home made units.

The last event was a depth detection contest for the transmitter-receiver type detectors. Came to the finals and it was a dead heat between Jerry McCarty using his D-TEX PROFESSIONAL, and Jim Mitchell of Ft. Worth using his transmitter-receiver detection unit. Both operators had equal indications on the object which was a piece of steel I beam 14" x 17" that had been buried 8 feet only five days before. Since each operator had similar indications the decision was more or less left up to the operators, and each contestant said that the other had as good an indication as he had. Where will one find such good sportsmanship today in any other field trial!

This annual NATIONAL TREASURE HUNTERS FIELD TRIAL is to be held each year with contestants from all over the United States with the detectors of their choice.

A good time was had by all. Even though they were all dead serious and out to win, there were no arguments and the decisions of the judges were accepted as final. Actually, it was more like an old time homecoming or a family reunion. The most oustanding feature of the entire event was the show of good sportsmanship.

Came the last of the meeting and as tents were taken down and campers made ready for the road there was a genuine feeling of regret that was shared by all. It was too bad that it had to end for another year, but all good things must come to an end. The real impression left was that there were no losers. True, some had been fortunate enough to win the prize money, but actually all that had attended were winners. Winners by having made new friends, new respect for others, and best of all, winners of two whole days completely removed from the cares and worries of the everyday world.

We at D-TEX are looking forward to meeting again next year under the blue Oklahoma skies for a few days meeting with all our old friends and having the opportunity to make new ones. We are looking forward to meeting YOU at the field trials next year.

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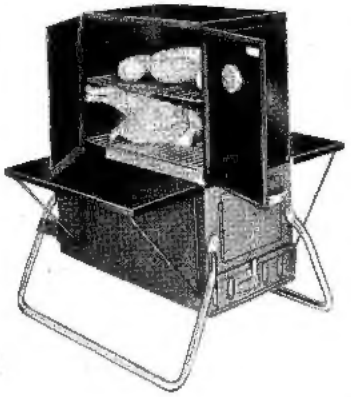

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True Western

Bursitis Cure

Dear Joe:

It was so good to read your editorial in the August issue of TRUE WEST—like having a visit. Of course, I can't let this opportunity pass to share with you my never-fail cure for the ailment which the picture of you on page 3 brought to my mind.

Grind up one-half pound of buzzards' gizzards, mix thoroughly with two ounces Lydia Pinkham Vegetable Compound, apply liberally in affected areas. For the greatest benefit, this should be done in the desert just before midnight. And you must have Faith!—Ruby Boyd, 777 Third Avenue, New York, New York.

I knew I wouldn't have trouble finding the buzzards (there are dad-blasted old buzzards all over the place), but I did have one dickens of a time finding the kind that have wings! It's a caution how bad buzzards want to keep their gizzards!

Anyhow, I got half a pound of them, mixed with the compound, drove to a real deserted spot and waited 'til midnight. Then, just to be shore, I flat took a bath in the cotton-pickin' stuff! But it didn't work—I just didn't have one of the elements you said was absolutely necessary.

I couldn't find a gurl in the whole city of Austin by the name of Faith. Thanks anyhow.—Joe

Book of the Month?

Dear Sir:

I have an idea you may be interested in or maybe have already considered, but this is it.

Every issue, you review so many books that a reader has a hard time picking out the best one. Why don't you have a book of the month type club for your subscribers? You could send out reviews of new books with a special book of the month selected by you. I am sure all your readers would want to join this type of club. I also think most of your subscribers would buy a minimum of six books a year.

I had some good luck last week while down at the dump. Going through a box of magazines I found a Vol. No. 1 and No. 5 issue of TRUE WEST that some fool had thrown away.—Gary Backman, 130-A West Harvard, Santa Paula, California.

Headstones

Dear Sir:

In TRUE WEST, June, 1965, on page 53, "Milestones In History," by E. L. Watson, there is a quote, "The second stone bears only the name "Rev. A. H. Donaldson." I have an old book, *The Works Of Josephus*, given to Rev. John Menaul by Rev. A. H. Donaldson. My uncle John Menaul and his sister Jane were stationed at Fort Wingate in the 1870s as medical missionaries (Presbyterian). They were all friends. —Paul Menaul, Ocie, Missouri.

Jail on the Move

Dear Sir:

Your article "Early Day Coolers" in TRUE WEST was rather out of the ordinary and to me, at least, very interesting. Enclosed is a picture of one of our own county's early day coolers. There is also a last chapter which has some people laughing while others wax rather eloquently blasphemous.

In the north end of Grant County, Oregon, high in the mountains, is the little town of Greenhorn, which used to have a jail. Some three or four years ago, I am not sure of the exact date, the Greenhorn jail was found one morning, intact, sitting beside the Canyon City Museum. No one seemed to know how it got there.

The jail is narrow, but rather long, and quite heavy as it is made of solid timbers. Certain men were suspected, as they were the only men known to have equipment to handle such a job. As suspicion is not evidence, the affair soon settled down and the jail found a permanent home between the Museum and the cabin of Joaquin Miller, the poet of the Sierras, who was Canyon City's first judge.

If anyone thinks the West is not still wild they should pay a visit to Grant County, Oregon, go to the Museum, which is on the highway, and look around a little.—Mrs. Anne Weatherford, Box 309, Dayville, Oregon.

The Christian Gang

Dear Pat:

I am very anxious to contact anyone who remembers anything about an outlaw named George Musgraves who was riding with the "Black Jack" Christian Gang in Arizona and New Mexico from 1895-97. This should not be confused with the "Black Jack" Ketchum Gang of a couple of years later. There may be some elderly gentlemen still alive who recall the activities of Musgraves and of Chris-

(Continued on page 68)

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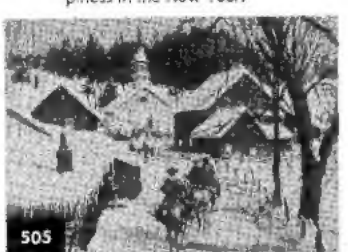
503 ☐ **Christmas Morn in the Manger** — May Peace, Joy and Happiness be Yours at this Christmas Season.

504 ☐ **The Warm Glow of Christmas** — May the Peace and Joy of Christmas be with you.



505 ☐ **Peace on Earth**—Sincere good wishes for the Holidays and the coming year.

506 ☐ **A Cowboy's Prayer**—Season's Greetings and best wishes for your happiness in the New Year.

507 ☐ **Gifts for Some Pals** — With Best Wishes at this Holiday Time and throughout the New Year.

508 ☐ **On This Night a Child Was Born** — Wishing you the special joy that only Christmas brings.

509 ☐ **Bearers of Good Tidings** — With best wishes for a Merry Christmas and a Happy New Year.

510 ☐ **A Christmas Story** — Greetings of the Season and happiness throughout the New Year.

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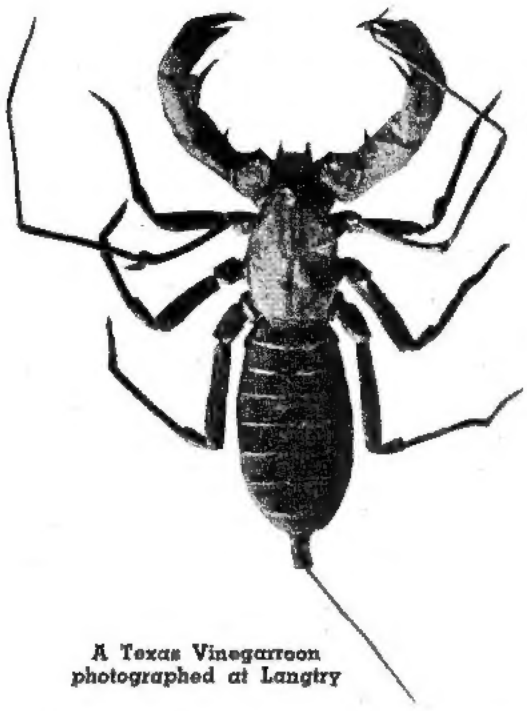

A Texas Vinegarroon photographed at Langtry

Vinegar

TRUE WEST presents the Last Half of the delicate operations of a first-rate scalawag!

JUDGE BEAN idly thumbed through a copy of the *London Illustrated News*, left at the saloon by some Canadian-Irish railroad worker. Suddenly he sat upright. Then he moved the open magazine closer to his eyes and stared at a full-page picture.

"By gobs!" he exclaimed to nobody in particular. "Ziggity! What a purty critter." He tore out the picture and pasted it on the wall, directly back of his judge's bench. The caption of the illustration told that the "purty critter" was Lily Langtry, then England's most famous and notorious actress. Born on the Isle of Jersey, she was called the "Jersey Lily."

Lily Langtry

It was shortly after this incident that Roy Bean erected the sign on his new building, and Lily Langtry inspired the name "Jersey Lilly," although the sign-painter was over-liberal with "l's" in the last name. That bothered Bean not at all. He cared little for technicalities, either in or outside his two bars.

As the Irish workers came to the Jersey Lilly, Bean called their attention to the picture. He asked endless questions. Now and then he would encounter some man who had read about the actress; and the judge would hang onto his every word.

He became an avid reader of the *Illustrated News* and all other publications which might carry pictures or stories about the Jersey Lily. Each time he found a picture or a news item, he tore it out and pasted it on his wall. He subscribed to a New York theatrical weekly, because Miss Langtry then was on an American tour and it carried frequent pictures of her. Soon he had the back-bar as well as the wall back of his bench liberally papered with pictures of the Jersey Lily.

His friends began to notice that Bean took more than the usual pride in his personal appearance. He started trimming his graying beard in the fashion of the Prince of Wales, later to become King Edward VII of England. He even built a crude "opera house," in hope that he might persuade Miss Langtry to show in his town.

A swaggering chap wearing city clothes drove into Langtry one day and stalked into the Jersey Lilly. As he drank his beer, his eyes scanned the many pictures of the actress pasted against the back-bar. "Who's that?" he asked.

"The purtiest woman in the world," Bean replied, "Lily Langtry."

"I've seen 'em much more beautiful," replied the fellow in store clothes. "In fact, she looks a little like a range heifer to me."

There was a deep roar in Barkeeper Bean's throat. Quickly he removed his apron and walked from behind the bar. At the end of the bar he asked a close friend, "How much do you think he can fork up?" The advisor calculated that about ten dollars would be the limit.

"Yore under arrest for slander!" Roy vehemently informed the stranger. "The fine is ten bucks. You can pay now."

Evidently the newcomer had heard before of Bean's court and its odd dispensation of justice, for he reached into his pocket without hesitation. He handed Bean a twenty-dollar gold piece. "Give me my change, please."

Bean blinked. He cast his eyes around at his friend. "The court made a technical error," he commented gravely. "So I reopen this here case. And I fine you twenty dollars. This court don't give no change!" He tied his apron back around his waist and resumed his duties behind the bar. "Drinks on the house. What'll it be, gents?"

JUST AS THE judge dealt summarily with anyone who disparaged the name of his distant love, so did he appreciate any man who could give him the least bit of information about her. A cowboy, knowing this fact, profited thereby on an occasion quite momentous to him.

The puncher drifted into Langtry riding a cayuse whose ownership, it was alleged, had changed hands recently without knowledge or permission of the party of the first part. The real owner demanded the arrest and trial of the straggling cowboy.

Bean opened court. "Hear ye! Hear ye!" the judge announced in deep intonations. "This honorable court is now in session; and if any hombre wants a snort let him take it now. The charge ag'inst this ranny is a capital offense; and the trial might be purty drawed-out.

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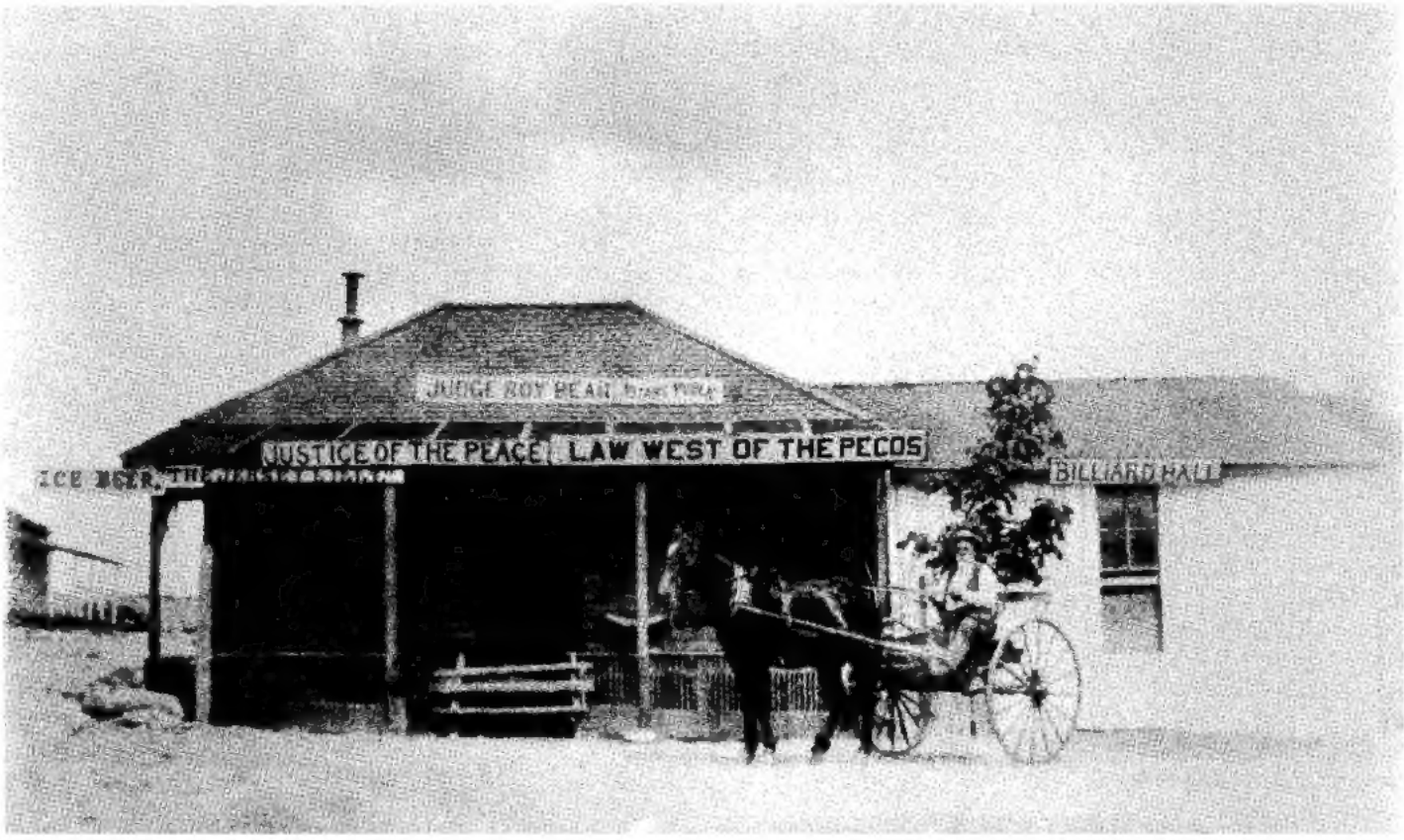
By RUEL McDANIEL

Photos Courtesy Oklahoma University Library—Rose Collection

THE SAGA OF JUDGE ROY BEAN, "LAW WEST OF THE PECOS"



Judge Roy Bean poses in front of his Jersey Lilly Saloon.

So this court will adjourn every thirty minutes for refreshments. Prisoner, stand up and face the court!"

Judge Bean often had read the expression, "stand at the bar of justice," and he translated it literally. Hence no prisoner was permitted to sit during the trial. Instead, he was required to stand erect and at strict attention before the bench, regardless of how long the trial lasted.

The first thirty minutes went to testimony of the alleged owner of the horse. He narrated how he had missed the animal and two days later had come upon the cowboy riding it. He named the identifying marks which established, in his estimation, unquestioned ownership. One of the owner's hands took the stand and testified that the animal belonged to his employer and that the defendant took it without knowledge or consent of the rightful owner.

"Court adjourned ten minutes for refreshments. Gents, step right up to the bar!" the judge announced. He strode back and donned his dingy floursack apron. Things looked indeed black for the stranger, and nobody recognized the blackness of the situation more than he.

His eyes went to the pictures of Miss Langtry and his face perceptibly brightened. "That there shore is a fine picture of a might purty actress," he commented, so that Judge Bean was certain to hear; "but it don't hold no light atall to the way she looks, herself. Why, the night me and some of the boys saw her in Chicago—"

Bartender Bean's face beamed. He moved in front of the cowboy. "You mean, you shore 'nough saw her?"

"Yeah, me and the boys was up at Chicago, deliverin' a trainload of cattle to the stockyards. We went to the Orpheum and saw her. The most beautiful woman in the whul dam' world!"

Roy drew the prisoner aside. Here, for the first time, was a person who actually had seen his distant love. Here was a chance to hear of her charms from somebody who had actually drunk at the fountain of her beauty.

The accused cowboy saw the effect his words were having upon the judge, and he was pleased. He spared no detail which would present the actress in a favorable light. He skimped no expression which would exemplify her beauty and charm. He talked constantly, for fear that the conversation might lull and thus remind Judge Bean that a trial was in progress.

Finally, after forty-five minutes of Langtry praise, during which time most of the witnesses in the case had become quite well saturated with red-eye, Roy concluded that it was time to dispose of the pending case. He intoned the court into session again.

"By gobs," he announced after some silence, "there ain't nobody here that saw this young feller steal a horse. The prisoner's hereby discharged for lack of evidence. And that's my rulin'!"

Eventually Bean got enough courage to write to Miss Langtry. That she apparently ignored his first letter dampened his ardor not in the least. With that first letter written, he found it comparatively easy to write others. After four such

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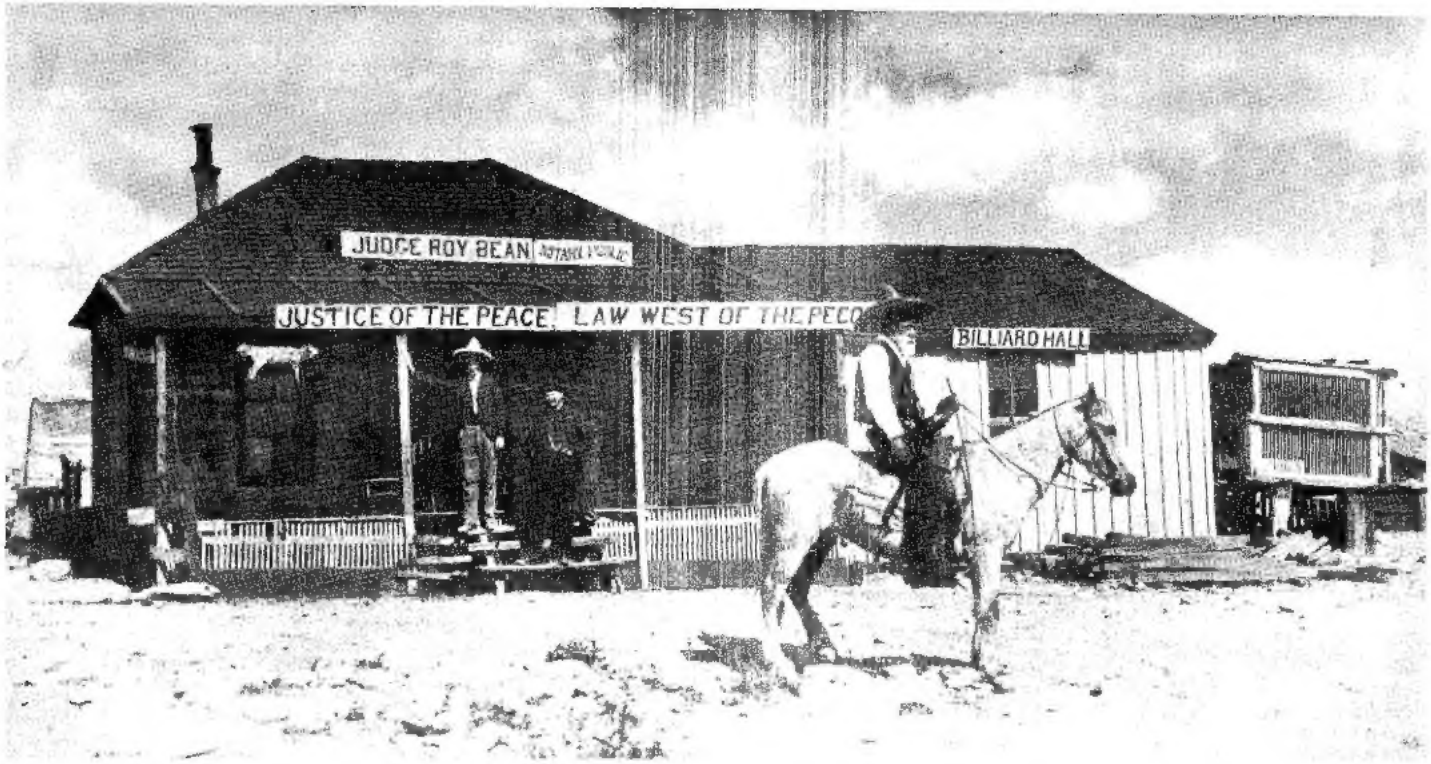

The picture above was made after a billiard hall had been added to the saloon. The horseback rider is Bean but the two men on the steps are unidentified. Note the bear cage at the rear of the billiard hall.

messages of admiration, couched in tedious but dignified words, he concluded that he must do something a little off-range if he expected to make any progress toward ultimate consummation of his great love.

So he conceived what he considered, in his quaintly vain sort of way, a brilliant idea. He wrote that, because of his great admiration for her, he had named his new town Langtry in her honor, and that he had called his new emporium the Jersey Lilly to further honor the world's greatest and most beautiful actress. Of course, naming the town Langtry had no connection whatsoever with the actress, which cunning old Roy well knew, but that made no difference with him. Certainly now was no time to stand on mere technicalities.

This epistle brought forth an acknowledgment. The day that letter reached Langtry was doubtlessly one of the brightest days in Bean's whole life. He displayed the envelope to everybody. He hunted up neighbors who did not come to the saloon and showed it to them. The contents, however, he considered sacred. Nobody could read the letter.

It came out, however, that among the things the actress wrote was that she was so deeply moved by the honors thus bestowed that it was her desire to show her appreciation in some tangible form. She suggested that a drinking fountain in the public square would be fitting, and that with Bean's permission, she would proceed to have the fountain erected.

Roy hastened a reply that he could not recommend the fountain, as much as he appreciated the offer. "For," he explained, "if there's anything these hombres of Langtry don't drink, it's water."

WHAT'S YORE name?" the Law West of the Pecos demanded gravely.

"Oscar Sweeden, ya honor," anxiously replied the angular, blond-haired, rawboned individual before the bar of justice.

"What's yore occupation, if any?" There shone a peculiar light in old Roy's eyes that promised no favors for the luckless prisoner.

"For a fact, Judge, I don't have any. I come out here, aimin' to find a likely job. Ya honor, I can do anything."

"As I thought! As I thought!" Bean repeated scornfully. "Another tramp imposin' hisself on the good people of Langtry." He glanced at the ancient law book on his table. "Drunk and disorderly, disturbin' the peace and dignity of this fair city. Oscar Sweeden, you sorry, good-for-nothin' maverick, this court finds you guilty as charged and I sentence you ten days at hard labor and that's my rulin' —next case!"

Five other prisoners before the bar that morning fared similarly. And this was unusual, for as nearly as possible, Judge Bean made all cases payable by fine.

But, as usual, when he veered from his normal routine, the judge had a reason. Now it was an idea for improving and modernizing his service to thirsty patrons of the saloon. Now that the railroad was serving the town daily, more and more outsiders were patronizing the bar; and more and more of these customers were complaining of hot beer, especially during July and August. Time had been when Bartender Bean could squelch any grumbling patron in much the same manner as he handled a stranger soon after the railroad came through.

"Where's your ice?" the fellow demanded, after taking the first swig of his beer.

Roy eyed him up and down with a searing glare. "Where the hell you from, hombre?"

"New York," the complaining customer retorted.

"I thought so. Who else but a New Yorker ever heard of ice in July!"

The proprietor of the Jersey Lilly had made a deal with a San Antonio ice company to ship him ice at a fairly reasonable figure, if he would take it in car-lots. Bean figured he could do this if he had an underground ice house.

Oscar Sweeden and the other five prisoners were marked and branded to provide the manual labor for that house.

Bean pressed a friend into service to handle the bar while he took charge of his prisoners and supervised the ice-house job. He used his guns as pointers to direct the work, at the same time silently impressing his workers with the futility of escape.

When it was too dark for further work, he drove his prisoners into a lean-to back of the Jersey Lilly where he lived, and fed and watered them. Then he directed them, at gun-point, to a gnarled mesquite at the west end of the saloon.

A heavy, rusty chain twelve feet long was locked around the trunk of the tree. It stretched irregularly along the ground. At intervals in the chain were iron cleats, vaguely resembling handcuffs.

"Set down there, all of you," Jailer Bean ordered, "so's I can lock you in for the night." He clamped the nondescript handcuffs around the wrists of his prisoners and bade them goodnight.

It was a common thing to see one or two men chained to the old mesquite; but six men lined up at once was something of a sight, even to Langtry, where it required a lot to arouse the interest of the average citizen.

A FEW DAYS later a stranger with his collar worn backward, got off the train and headed toward the Jersey Lilly as Bean was locking up his workmen for the night. He witnessed the strange routine and made excited inquiry.

"I'm ashamed and shocked at the inhumanity of such a thing!" he protested. "You treat human beings like so many cattle."

Bean walked up to him. "Parson," he began solemnly, "is there anything healthier to man or beast than fresh, invigoratin' air and sunshine?"

"Well, no, not that I know of," the stranger answered, puzzled. "But I was speaking of these poor wretches."

"I was gettin' around to them. I keep these men out in the sunshine all day. That's good for 'em, accordin' to yore own admittance. Ther's no purer air un-

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der the canopy of the skies than this rich, nourishin' air of the Pecos. At night the men are out here where they get all of it they can breathe. What more could they ask?"

The parson was puzzled for a second. "But sleeping on the ground, like animals," he then managed uncertainly.

"Everything that nourishes man or beast springs from the ground, stranger; if the ground's so terrible, why is that? Shucks, parson, it ain't so bad. If the nights turn off cool, as they sometimes do out here in these hills, why, I give 'em tow-sacks to lay their heads on—providin' they've done a good day's work. They ain't complainin'."

The old mesquite was the only jail the Law West of the Pecos ever had, but it served its purpose. Cattle rustlers, murderers and other capital offenders were "bound over" here until arraignment for trial; and if a case dragged out into a second day, the mesquite served as lock up overnight. Minor offenders also were cuffed to the heavy chain, either to remind them of the gravity of their predicament or to impress others with the seriousness of violating Judge Bean's laws.

Oscar Sweeden took his job seriously. He made frequent suggestions toward improvement of the ice house; and by the third day Bean was relying considerably upon him to guide the labor of the other five prisoners.

On the fifth day he made Oscar a "trusty." That released him from the chain at night and gave him the run of the premises. By the end of his ten-day sentence, Oscar had become a valuable aide to the busy proprietor of the Jersey Lilly.

"Sweeden," Roy propositioned upon completion of the Scandinavian's term, "you say you really was lookin' for a job when you come over here in this country?"

"I was that, Judge; still am," Oscar answered with solemn tone.

"I was thinkin', I could mebbe use you around the Jersey Lilly, if you want to stay. 'Course I didn't mean any harm, sentencin' you to ten days. You saw how it was. Somebody had to build that ice house."

And thus Oscar Sweeden became a friend and loyal assistant to the Law West of the Pecos, ever capable at either end of the combination saloon and courthouse.

"JUDGE," a cowboy announced, "we found a dead Mexican down here at the mouth of Pump Canyon. The boss says mebbe you oughter hold a inquest."

Bean removed his apron, walked from behind the bar to his judge's bench and there donned a long black alpaca coat. "Certainly, my boy; shore. Show me where."

He had set himself up as law and order west of the Pecos, and he found no little pride in pointing out that no dispensing job within his jurisdiction had stumped him—either legal or liquid. Inquests seemed to him rather needless things, especially if there were no fees in sight; but if the ranchers wanted them, why, he was the judge who could hold them.

The cowboy led him down into the maze of Pump Canyon. Stopping beside an iron-colored boulder, he said, "Here's yore man, Judge; and a fine mess he's in."

Bean made a perfunctory examination of the remains. A bullet hole showed directly in the center of the deceased's forehead. Bean cleared his throat and declared the inquest officially opened.

"It's the findin' of this court that the Mexican, name unknown, come to his death by bein' shot in the head by an unknown person who was a gol-dam good shot."

He searched the pockets of the dead man but found nothing; so all he got out of this service was the experience. However, not all inquests were so fruitless.

There was the case of the railroad laborer, for example. News came to Langtry that a workman had fallen off a railroad trestle and killed himself. Bean was asked to hold an inquest.

He proceeded with courtly dignity to the scene of the tragedy. He searched the body of the victim and found a revolver and $41.00 in cash.

"It is the duty of this court," he declared, "to confiscate this here concealed weapon, which is a damn good gun, because it's legally ag'inst the law to carry a gun, especially a dead man.

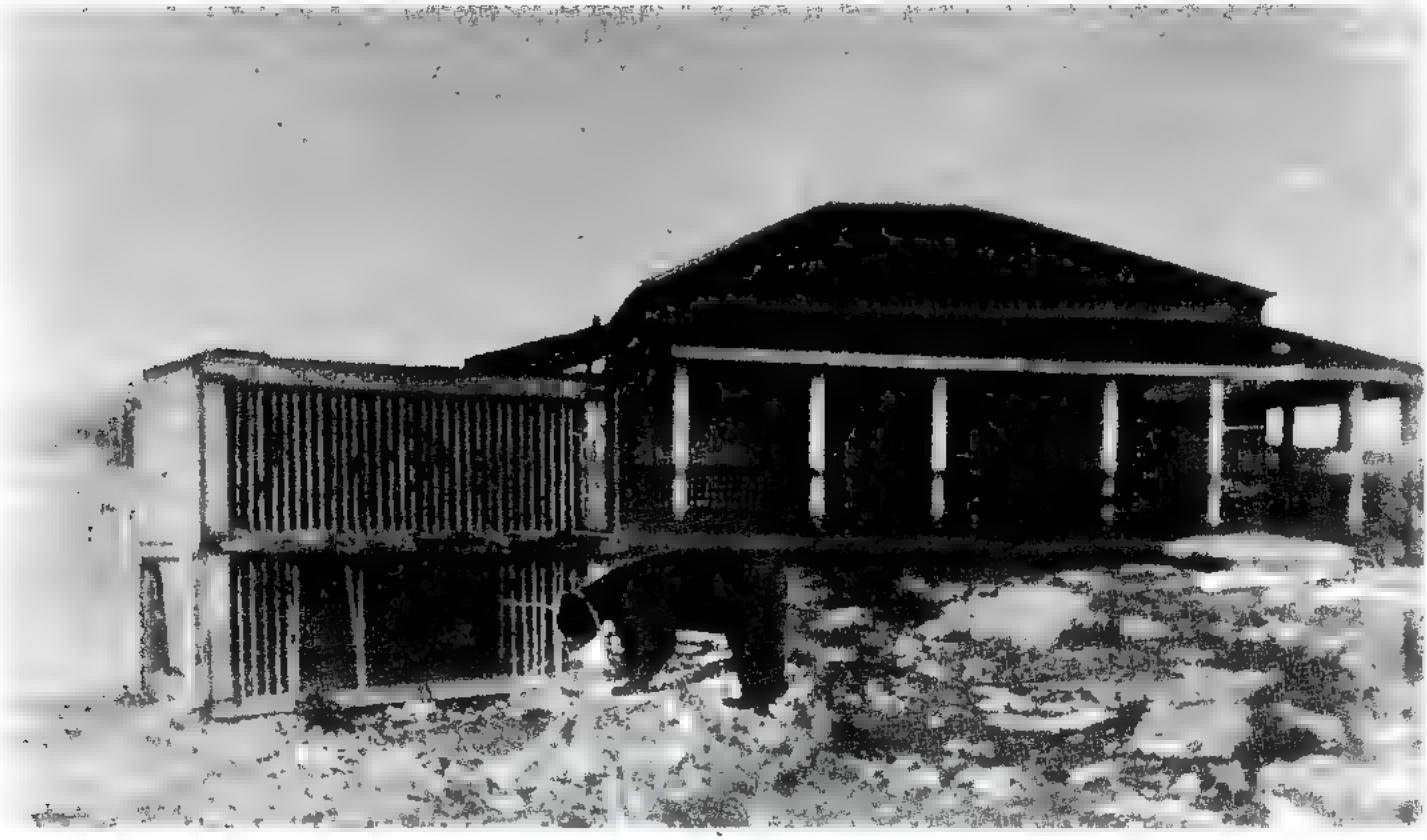
"And in view of evidence, I find it the court's duty to fine the offender forty-one simoleons for carryin' concealed weapons. And that's my rulin'."

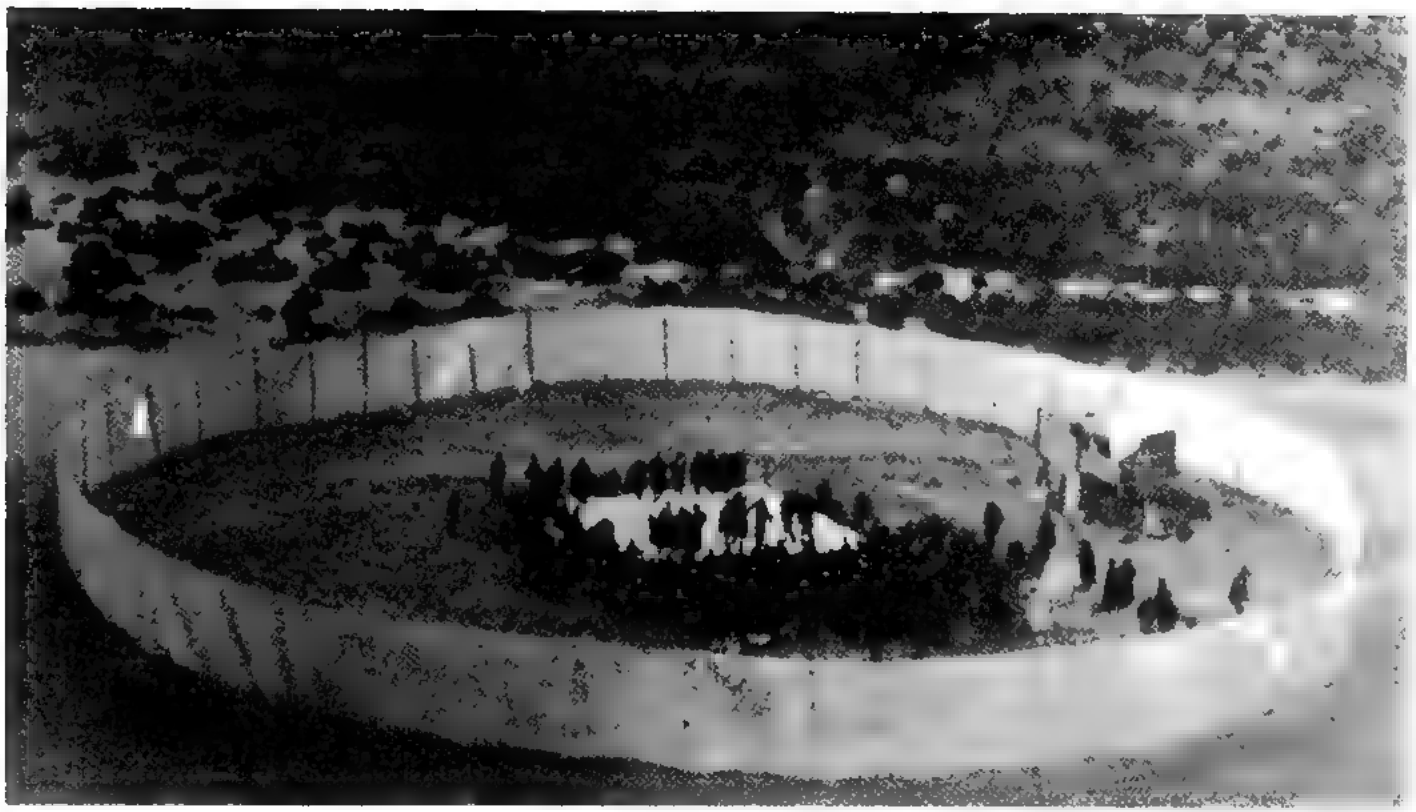
By this time Judge Bean had taken the time to obtain his appointment as justice of the peace, this expedient appearing to be advisable in view of the fact that Val Verde County had been organized, and Langtry was a part of the new county. It was only sixty-seven miles to the new county seat, so the judge felt that things should be a little more in order.

News of this unorthodox disposition of a dead man and his worldly goods filtered over to Del Rio, Val Verde's county seat. There was talk of ousting Bean for irregularities in office. A rancher brought news of this threat back to the judge.

"Hell, they cain't do that!" he expostu-

Judge Bean's pet bear, Sarsaparilla. This picture was made in front of the Opera House, Town Hall and Seat of Justice, located near the saloon.





The Maher-Fitzsimmons fight was staged in the hastily-built ring above. Spectators paid twenty dollars for ringside standing room. Grandstand seats on a grass-covered ledge overlooking the ring cost slightly less.

lated. "It ain't legal. They ain't nobody complainin' except the county attorney and the judge. They're bellyachin' on account of not bein' able to grab that forty-one bucks for theirselves. I tell you, Sam, you got to temper justice with common sense.

"Now take them Del Rio fellers. What would they 'a' done in this case? I tell you what. They'd dragged out the matter in a lot of legal terms and ended up by takin' the $41.00 and the gun for admin'stration fees; so what's the difference?

"Me? Well, you know yoreself I give the pore devil a decent burial. Instead of rollin' him in a blanket and throwin' him in a hollow place in a rock and coverin' him with mesquite, why, I hired a hack and hauled him to Langtry. There I hired a preacher for a peso to orate a decent funeral; then I hired two Mexicans—well, not exactly hired 'em, because they was my prisoners—to dig a regular grave and bury him like a white man. I'm purty shore the pore devil hisself would 'a thanked me for it."

EVENTUALLY the county attorney did come over to Langtry to investigate the conduct of Bean's court. "You're violating the law by failure to make a report of your proceedings and fees of office," the young barrister told the judge.

"Young man," Roy replied curtly, "this here court is self-supportin'. Whenever it can't take in enough dinero to pay its way, I'll get in touch with you!"

Suicides, accidental deaths, murders, assaults, cattle-rustling, horse-thieving, petty disorders, plain drunks, marriages, inquests, divorces, christenings, first aid and civil suits all came under the elastic jurisdiction of Judge Bean's court. The ranchers soon learned that he was their most powerful ally, and they cooperated to the fullest. At his bar of justice they could obtain lightning action; while if they went to more formal courts, there might be changes of venue, delays, rehearings and a dozen other legal tangles to delay the ends of justice. Outlaws feared the crude court as much as the law-abiding citizens appreciated it.

Thus, in spite of the fact that Judge Bean did not conduct his court along orthodox lines, state and district authorities generally took a passive view of his methods because he had established, after a fashion, some kind of law beyond the Pecos. That was more than anyone else had dared attempt before.

At first, Roy acted as arresting officer, prosecutor, defending attorney, jury and judge. Thus, he reasoned, he cut down materially the costs of court. Gradually, however, as more settlers and outlaws moved in, business grew and the procedure became somewhat more technical, although invariably—under protest—Judge Bean would permit a defendant to hire an outside lawyer if he insisted long and strong enough. Nevertheless, the Law West of the Pecos considered such action a personal affront.

On one such occasion the court was solemnly ready for action. A railroad man, a newcomer in the community and therefore excusable for his audacity, was charged with a grave crime; and he had hired a lawyer from San Antonio to defend him. The lawyer introduced himself at the outset by objecting to the whole court procedure.

"You have no authority in this case!" he cried.

Judge Roy squinted his cold blue eyes. He thumped one of his guns against the top of the table. "Set down!" he commanded.

"You have no jurisdiction in this case, and I demand constitutional rights and protection for my client."

The Law West of the Pecos glared at the young lawyer. "Oscar," he called over to his assistant, who acted as barkeeper and constable during rush hours at either bar, "come over here. In about eight minutes I expect to find this here prisoner guilty and order you and the boys to take him out and hang him. What'er you intend to do?"

"Take 'im out and hang 'im, of course," Oscar answered without hesitation.

"Supposin'," Judge Roy went on, "I decide you better hang his lawyer along with him. Then what would you do?"

"Why, hang 'im, Judge. It ain't no more trouble to hang two than one."

Bean turned his attention back to the young lawyer. "Ain't that enough jurisdiction for you? Now, young jack-leg, you set down. I'm the Law West of the Pecos. I run my court the way I see fit. An' that's my rulin'."

Penalties imposed in this crude bar of justice ranged all the way from a round of drinks for the house, at the expense of the defendant, to hanging. Judge Bean did not believe in penitentiary sentences. That involved a maze of technicalities into which the State of Texas entered; and Bean did not care for that. He imposed his own penalties, as his own quixotic sense of justice dictated, and he did not wish to impose anything which he could not personally carry out.

This particular defendant's sentence was a hundred-dollar fine, which he paid with an obvious sigh of relief, coming close upon the heels of Judge Roy's demonstration of the court's interpretation of jurisdiction.

"OSCAR," Judge Roy said to his lieutenant one morning, "Carter's tryin' to cheat me outer my half of them goats we been raisin' under contract. Take this here sequestration writ, go over there, and show it to that double-crossin' coyote and drive my half of the goats to my corral."

Roy had entered into an agreement a

year before whereby Carter would raise goats from Bean's herd on shares. Now he contended that Bean's share had died! Roy would have preferred to go over, personally, and escort his goats back under the protection of his two six-guns; but he had set himself up as Law West of the Pecos. He demanded that other citizens settle their civil differences according to Pecos law, and he proposed to do likewise.

Oscar delivered the goats as ordered, and locked them in the Bean's corral. The judge then called court to order. "It appears that the stock in question was seized by a duly authorized officer of this court, to wit: Oscar Sweeden. It further appears that the animals was impounded accordin' to law in the complainant's corral for safekeeping. That bein' the status, I hereby dismiss the case. And that's my rulin'."

On occasions, however, he became impatient even of his own rapid-fire justice. An operator of a lunch stand across the street owed him $3.75 for beer bought six months before. Repeatedly Barkeeper Bean had demanded payment. The debtor continued to put him off.

Finally Roy removed his apron, donned his guns and walked across the street just at lunch time. The stand was filled with hungry customers. Bean unholstered his revolvers and established himself directly in the door of the eating house.

"Don't get excited, gents," he explained to the wide-eyed customers. "I'm jest here to collect an old account. You can pay right here, as you leave."

He counted the check of each customer until he had in hand the $3.75 due. Then he holstered his guns, thanked the blubbering proprietor, and invited the nervous customers to come over and have drinks at the Jersey Lilly—on the house.

"HEAR YE!" Hear ye! This honorable court's now in session; and if any galoot wants a snort afore we start, let him step up to the bar and name his pizen. Oscar, serve the gentlemen." Thus did Judge Bean open court to try one Carlos Robles, an opening typical of his usual procedure.

"Carlos Robles," he said solemnly, after witnesses and hangers-on had downed their liquor, "it is the findin' of this court that you are charged with a grave offense against the peace and dignity of the Law West of the Pecos and the State of Texas to wit: cattle-rustlin'. Guilty or not guilty?"

Not being able to speak or comprehend English, Robles merely grunted.

"Court accepts yore plea of guilty. The jury will now deliberate and if it brings a verdict short of hangin', it'll be declared in contempt. Gentlemen, is yore verdict ready?"

The twelve nondescript citizens cleared their throats in unison. "It is, your honor," several spoke.

"Thanks, gentlemen. Stand up, Carlos Robles, and receive yore sentence. You got anything to say why judgment shouldn't be passed on you in this court?"

Of course Carlos had not, in view of the fact that he had only the vaguest idea of what was transpiring.

"Carlos Robles," Judge Roy continued, his voice almost quaking with the solemnity of the occasion, "you been tried by twelve true and good men—not men of yore peers but as high above you as heaven is of hell—and they've said yore guilty of rustlin' cattle.

"It's the order of this court that you be took to the nearest tree and hanged by the neck till you're dead, you olive-colored son-of-a-billy-goat!"

The Law West of the Pecos could be cruel in administering his brand of justice, but he was cruel only when he deemed the accused and the crime fully warranted such cruelty. He more frequently tempered justice with his own peculiar brand of mercy, especially if there was any means by which he could profit by that mercy.

One afternoon several ranchmen brought in a twenty-year-old boy accused of horsestealing. They demanded that he be tried and dealt with according to the enormity of the crime.

Judge Bean duly opened court. He appointed six men as jurors, the actual number meaning nothing to him and depending entirely upon men available. He would not appoint just any citizens to jury duty. They had to be good customers of the liquid bar at the other end of the shack during intermissions, or their services as jurors no longer were desirable or acceptable. Every transaction was designed to return the utmost in profit, and non-drinking jurors were strictly dead timber.

"Hear ye! This honorable court is again in session. Anyone wishin' a snort, have it now. This here prisoner is charged with the grave offense of stealin' a horse. Oscar, where are the witnesses?" the Law West of the Pecos opened. He appreciated his own sense of humor in varying his court openings to relieve the monotony, but he seldom varied to the extent of omitting the invitation to participate in a snort at the other bar.

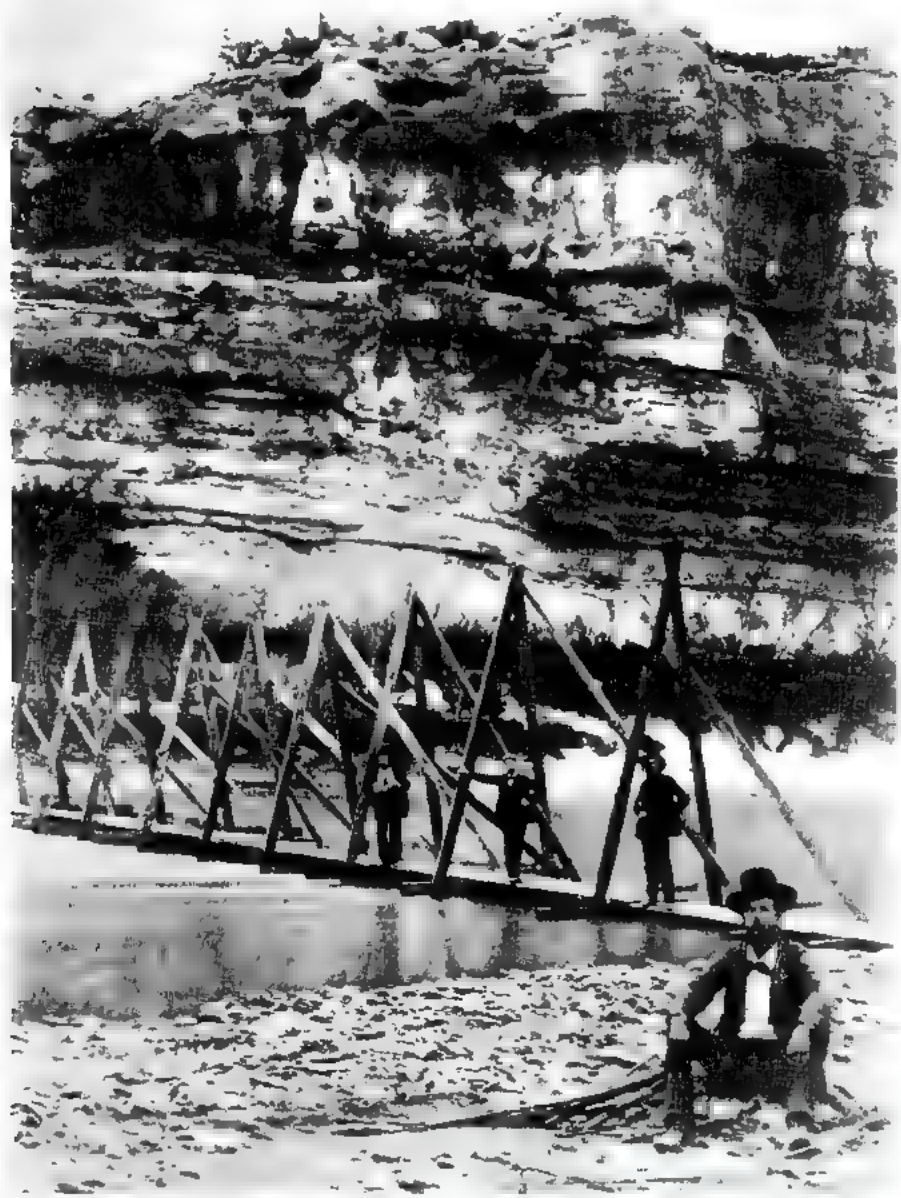
"We caught him in the act of stealin' the animal," the ranchman testified. "He admitted his intentions."

"That right, young feller? You was stealin' the cayuse?"

The young prisoner dropped his head, unruly red hair tumbling down over his high forehead. "Yes, your honor," he mumbled.

"Gentlemen of the jury," the judge instructed, "the accused pleads guilty to horse theft. You know as well as I do the penalty. I'm ready for yore verdict." And it was promptly forthcoming.

Below is the bridge Bean had constructed in order to let fight fans cross from Texas soil to Mexican territory where the fight was held.



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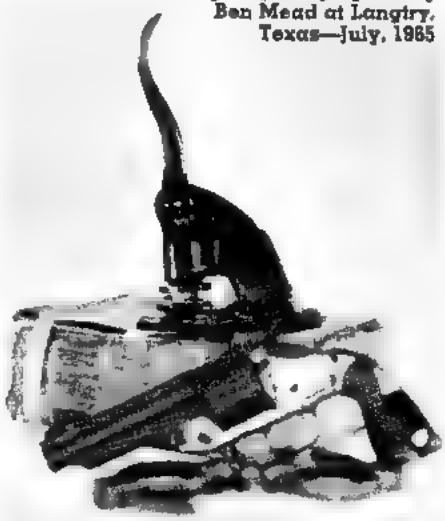
Judge Bean's notary seal, law book, handcuffs and gun, photographed by Ben Mead at Langtry, Texas—July, 1965



ABOUT THE COVER

By Ben Carlton Mead

IN JULY, 1932, I first saw the gun, seal and other articles which I have portrayed on this cover of your TRUE WEST. Mr. Dodd, the kind, scholarly gentleman who had been Justice of the Peace in Langtry since Roy Bean's death in 1903, allowed me to handle the items, study them, and finally to make a drawing of the old six-shooter. I did all this with some reverence, not so much for old Roy, as for the items themselves; they were such a close link with the near-but-distant past.

The drawing was made actual size on brown store paper. With a twinkle in his eye, Mr. Dodd stamped the Notary Public's seal in the paper and signed it "W. H. Dodd, Successor to Roy Bean, the Law West of the Pecos, July 11, 1932—Langtry, Texas." I still have the drawing and it will eventually go into the Texana Collection at The University of Texas.

My interest in Roy Bean had reached a high point a couple of years before, when I was selected to illustrate Everett Lloyd's book on Bean, one of the earliest, and still in print—in fact, still on sale in Langtry.

In July, 1965, thirty-three years later, I was again engaged in examining the gun and relics. This time, Bill Dodd, grandson of the old man and carrying the same initials for the third generation, showed me the items.

Again I made a drawing of the gun and other relics, and made actual size patterns on the Langtry Grocery's paper—this time, white butcher paper—with careful notes on all details. This time I was to paint them into a cover design for TRUE WEST. The old book is badly deteriorated, and almost all of the nickel plating is gone from the gun. Bill identified it as a Smith and Wesson top-breaking 1869 Army Model No. 3, which used rim-fire .44 caliber ammunition. Originally with an 8½-inch barrel, Bean—or more likely some rascal from whom he took it—had hacksawed the barrel much shorter for a faster draw—or was it to fit a coat pocket better? I photographed the items, but they did not come out too well in the pictures.

To make the painting, I used in my studio an 1853 Webster's Dictionary with the same style binding as the law book, except for the gold stamped title; Jackson Arms, famous antique gun dealers in Dallas, fortunately had a good specimen of the six-shooter which they lent to me. I used an identical notary seal purchased by my father-in-law in 1905. Now for the dagger and handcuffs: I cut them out of cardboard, made three chain links for the latter from a wire coat hanger, and I was in business. I painted the articles in the condition in which they probably were in Bean's later years. I think the Mexican sombrero was a happy thought. Most photos of old Roy show him wearing either the felt or the straw type. It was lots of fun to paint the subject—but one more thing to live down when I try to sell a big landscape painting and the customer says, "I thought you painted only Westerns!"

One more note: if you're ever in Langtry, down on the Rio Grande, stop and see Roy Bean's old court and saloon, now maintained by the Texas State Highway Department. Think of old Roy turning over in his Del Rio grave, because the JP office is now held by an attractive brunette housewife, Doris Chamberlain. Times have surely changed. But just go across the street to the modest little Langtry Grocery and Post Office. Talk to Bill Dodd and the folks around there, about Bill's grandfather and old Roy, the old rascal—maybe Bill will let you touch the six-shooter, or the seal, or Roy's deck of cards—and, stranger, you'll know you have rubbed elbows with the true West, the West as it really was.

Gravely sentence was passed. "If there's any last word or anything, I'll give you a few minutes," he told the pale Easterner, thus extending an infrequent favor.

"I would like to write a note to my mother back in Pennsylvania," the doomed prisoner said slowly, with obvious emotion. "Thank you."

"Oscar, fetch the prisoner a piece of wrappin' paper and a pencil. I think we got a pencil back there behind that row of bottles." Bean gently handed the convicted thief these writing facilities, then got up and tendered him the beer barrel and rickety table from which sentence had just been passed. He took a position directly behind the boy, so that he could watch over his shoulder at what he wrote.

The victim wrote at length in apology for the grief and trouble he had caused his mother and earnestly sought her forgiveness. "In small part, perhaps, I can repay you for the money I have cost you in keeping me out of trouble. Enclosed is $400, which I've saved. I want you—"

Judge Bean started, cleared his throat, cut in at this point. "By gobs!" he exclaimed, "Gentlemen, I got a feelin' there's been a miscarriage of justice, in this case. I hereby declare it re-opened. Face the bar, young man."

The prisoner removed himself from the beer keg and stood erect in front of the judicial bench, befuddled at this sudden turn.

"After all, that wasn't much of a cayuse the lad tried to steal, and he didn't actually steal him. So I rule it's a finable case. I hereby fine the accused $300 and get to hell outer this country afore I change my mind!"

The boy gladly enough paid three hundred of his four hundred dollars and assured the court that the next setting sun would find him well beyond El Rio Pecos.

Practically every cattleman and law-abiding citizen of Bean's bailiwick had an indefinite appointment as deputy constable to the Law West of the Pecos. Thus any citizen who apprehended any person in the act of committing a crime or suspected any of crime had authority to bring him in forthwith for trial. Bean consistently encouraged such cooperation for the more business they brought before the court, the greater the financial returns for the whole establishment. Naturally it was understood that such arresting constables did not in any manner participate in the fee accruing from such cases created by them. This doubtless was the only justice court in the State of Texas wherein only one official received all fees collected by the office.

Under his authority as deputy constable, Reb Wise, Pecos rancher, brought in a cattle rustler on a hot August afternoon when business at the refreshment counter was exceptionally brisk. It was all both Roy and Oscar could do to handle the trade. Consequently Bean looked up with a sour expression when Deputy Constable Wise approached the bar and informed the judge that a prisoner was awaiting attention at the bar of justice.

"What's he charged with, Reb?" Roy asked, opening another foaming bottle of Triple-X beer.

"Cattle-rustlin', yuhr honor," Reb replied.

"Whose cattle?"

"Mine."

"You positive he's guilty, Rob?"

"Positive? Why, Judge, I caught him with a runnin' iron on one of my finest calves!" the rancher replied with emphasis.

For the first time Roy glanced up at the scowling prisoner. He noticed blood dripping from his left ear. "Who plugged his ear?" he inquired.

"I did, yuhr honor, when he wouldn't stop."

"You ought'n shot at his head, Reb. You could'a killed him; and that would'a been bad, because he wouldn't been saved for the punishment he deserves. You real shore he's guilty?"

"Didn't I say, Judge, I caught him runnin' a brand on my stuff?"

"All right then," said Bean. "What'll it be for you, feller?" to a newcomer at the bar . . . "All right then. The court finds the accused guilty as charged; and as there ain't no worse punishment I know of right handy, I hereby sentence him to be hung. Reb, I'm busy's hell here. You and some of yore compadres take him out and tie his neck to some handy limb someplace where his cronies'll be positive to see him; and that's my rulin'. Court's adjourned and what'll it be for you down ther, Slim?"

(Continued on page 30)

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HE HELPED SCALP MAJOR ELLIOTT'S 21 SOLDIERS

Andres Martinez

. . . but that was a warrior's sin— committed many years before Andres accepted Christianity

By GEORGE O. HOPKINS

Photo Courtesy Oklahoma Historical Society

ANDRES MARTINEZ spent approximately twenty-one years with the Indians, taking part in their hunts and raids. He was born of Spanish-speaking parents in New Mexico in 1849 and when he was seven years old, he and his uncle who was five, were captured by the Mescalero Apaches.

Andres and his Uncle Pedro were taking care of the milk cows when the Apaches swooped down to carry them away. The third day out, as the younger boy began to cry, an Indian took him from his horse and ran a lance through his body, leaving the dead boy to be found by pursuing relatives four days later. While the Indian was striking his death blow, Andres slid from behind an Indian and ran toward his dead playmate. He was instantly struck across the forehead with the butt end of the lance, which split his forehead wide open. The long scar was plainly visible on the eighty-four-year-old Martinez when I saw him last in 1933. It was on that occasion that he told me he took part in the scalping of Major Elliott's soldiers to avenge Chief Black Kettle.

ANDRES was taken to the Mescalero camp where he became a target for small Indian boys who laced him up against a tree and fired arrows at him. After a few days, he was a mass of bruises with a filthy, sore-scarred head. An old crippled squaw took mercy on him and bathed and tended his wounds.

When a few days had passed, Chief Heap O'Bears of the Kiowa nation came calling on the Apache camp and noticed the small white boy. He instantly took a fancy to him because his daughter, who was childless, had asked him to secure a little white boy for a son. Privately Chief Heap O'Bears told the boy in Spanish that he would try to buy him from the Apaches, but if his owners would not bargain, to be ready, for he would steal him.

However, the trade was negotiated for an Indian pony, two buffalo robes and one red blanket. Andres became a member of Heap O'Bears' family. He was reared as an Indian, and forgot his Spanish tongue. As a son of the chief's daughter, E-Ton-bo, Andres became an accomplished warrior. When he reached manhood, he took part in the Kiowa-Comanche raids into Texas and Oklahoma, in which transportable merchandise, scalps and horses were taken back to camp.

Martinez always had a spiritual streak in him, and seeking to become a medicine man and to become attuned to the Great Spirit, he fasted, communed and slashed his body with sharp stones to make himself acceptable to the Great Spirit and to his people. His hair grew long and his body was tanned by rigorous outdoor living.

Andres was with a band of Kiowas and Comanches a mile away from the scene of Black Kettle's massacre when they heard the noise of battle and rushed to help the Cheyennes. The village was in what is now Roger Mills County, Oklahoma. They were too late, but they saw a group of horsemen detach themselves from the army group and head toward them.

It was Major Elliott with twenty-one men, who was alleged to have said that often quoted phrase, "Here's to action and a brevet!"

The Indians led them on by retreating. Too late, Elliott saw that he was outnumbered and had been led into a trap. Martinez said that the Major made a bad mistake. He dismounted his troops and entered into a small sunken place in high grass. Martinez said he believed the soldiers could have retreated or perhaps beaten them if they had stayed on horse, as many of the Indians only had bows and arrows. I asked Martinez how he was armed that day, and he said with an old pistol and a bow with arrows.

Gradually the Indians crept closer and closer causing mortal wounds. Several Indians, to indicate bravery, rushed in among the dying soldiers, tapping them and retreating without inflicting a death blow. All were killed, including Major Elliott; and all were scalped, Martinez said, except Major Elliott.

MARTINEZ noted after two years of puzzled study that communication was passed among whites through the medium of letter writing. He remembered his name, his brother's name, and his parents' names. Eventually, he asked a white man to write a letter for him to his brother. The brother responded and came to bring him back to civilization. He found an Indian who could not converse with him, but he was satisfied that Andres was his kin. Thus Andres went back to New Mexico.

Martinez says that after he had been home for awhile, and as he recognized the old scenes of his childhood, he was able to remember the Spanish that he had learned as a little boy.

On a return trip to the Kiowa nation, he found his Indian wife dead, so he returned to his family for good. It was then he came in contact with Rev. J. J. Methvin, who had been sent as a mis-

(Continued on page 53)

Within The Code

"Sometimes a fellow had just one chance to mind his own business . . ."

On the day of his death, September 18, 1964, J. Frank Dobie received an advance copy of his book, *Cow People*. This volume ended a writing life of more than thirty books about the ranch country, plus innumerable articles for magazines and newspapers.

When I received word of his death, I had a letter on my desk from Mr. Frank, written a week earlier, asking if we wanted to reprint a chapter from the book—and his choice was "Within the Code."—Joe

SOMEHOW, during the period of "manifest destiny," people of the West, especially manifest males and journalists, began bragging on themselves as "rugged individualists." The idea developed that sheer ruggedness made them more individualistic than men of the East had ever been. Boiled down, this individualism, however pronounced in conduct, was as short on thought as the doctrine of free enterprise in the middle of the 20th Century has been short on free intellectual enterprise.

The rights of freedom, of thought, speech and print were believed in so intensely by so many people while the nation was being formed that some states would not adopt the Constitution until the Bill of Rights was added to it. Even in the present age of conformity, Benjamin Franklin the skeptic, Thomas Jefferson the freethinker, and Abraham Lincoln, committed to no dogma, remain the foremost representatives of American freedom and individualism.

Before western individualists of ruggedness reached their climax, the village of Concord in Massachusetts had emitted more ideas on personal independence than all the spaces west of the Mississippi have yet generated. In "Self-Reliance," an epitome of much that he had to say, Emerson saw individualism deep in the mind and spirit, the essential character of every human being. "The Duty of Civil Disobedience," by Henry David Thoreau, Emerson's fellow Concordian, enlarged and deepened the philosophy of individualism beyond the concept of any man "standing up for his rights" with a six-shooter. Thoreau stood against contributing to a government that upheld slavery and invaded Mexico, and in accordance refused to pay his taxes. As a result he was jailed. Visiting him in jail, Emerson asked, "Henry, why are you here?"

"Why are you not here?" was the reply.

Thoreau walked sixteen miles from Concord and back to hear Emerson speak, but he would not walk to Harvard to hear the preachers. "I had rather listen to the chickadees than the D.D.'s," he said. When he himself lectured now and then, he habitually stipulated that anything he might say from the platform was strictly nobody's business but his own. He never allied himself to any man, any woman, any property. However his ideas may have approached, on one hand, anarchy, he understood that values attached to privacy and individual rights belonged to America. They were English and Scotch before they became American.

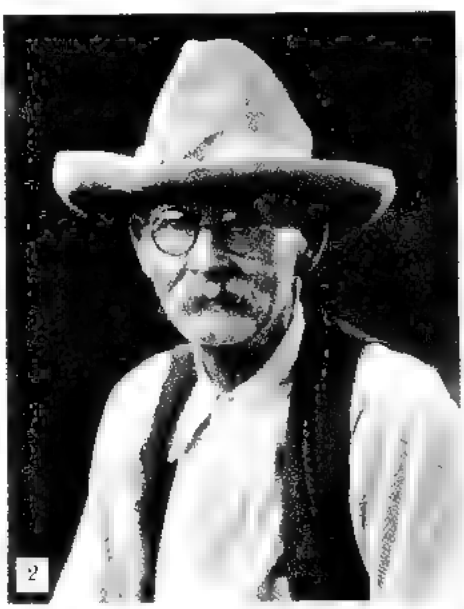
As the South grew more isolated and more violent in defense of slavery, it banned freedom of speech on that subject. Open query on the "peculiar institution," and increasingly on other subjects, ceased to exist in the South before the Civil War. That war freed poor whites as much as it freed black people.

The six-shooter code of the West, especially in Texas, was derived mainly from the South. Here duels were fought between gentlemen—except when a Sam Houston retorted to his challenger: "I never fight downhill."

When William Alexander Percy of Mississippi, poet and author of a revealing autobiography entitled *Lanterns on the Levee*, early in this century entered the Sorbonne in Paris, he, "to please" his father, took lessons in fencing. From where else in the United States would a father have prescribed swordsmanship? Southern gentlemen had come to use pistols, rather than swords, in duels. Many non-gentlemen of the South excelled with Bowie knives. Some Negroes used razors. The razor wielders, the pistol duellers, the Bowie knife cutthroats were all above the law. For them the code of "rights" was strictly personal.

PRESIDENT JOHN ADAMS defined the government of the United States as one of law rather than of men. In regions of sparsely populated spaces controlled by cow people, application of law could be markedly personal.

Ash Upson, who wrote *The Authentic Life of Billy the Kid*, published under the name of Pat Garrett whose six-shooter ended the Kid's existence, was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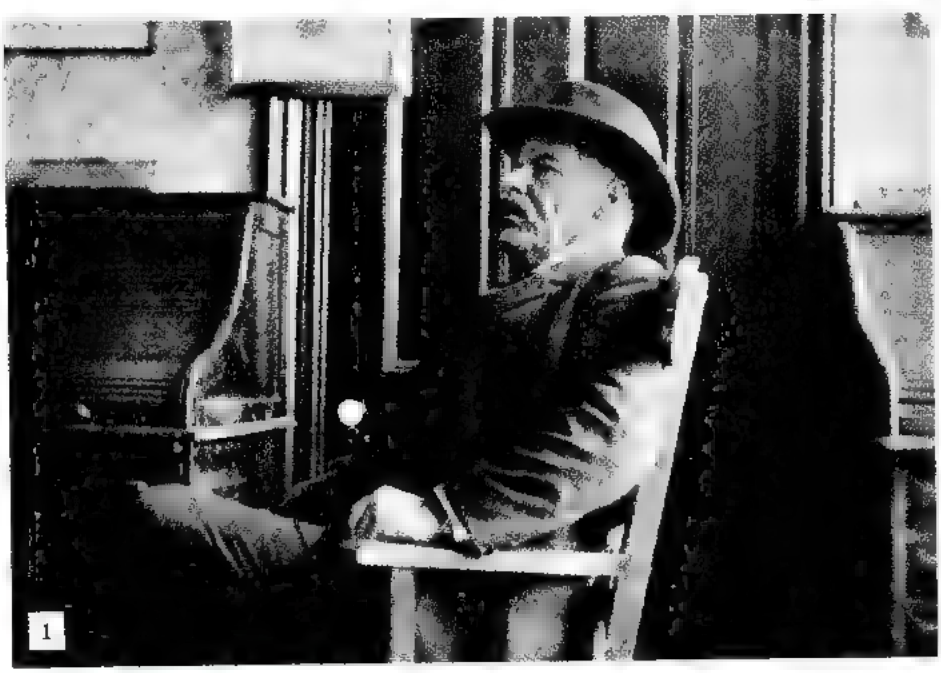
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A group of old-time cattlemen. (1) Dolphus (Dolph) Lowe—a big operator in the brush country below San Antonio, Texas. (2) Julie Moody in 1932 at the age of seventy-six. He was range and trail boss for the R2 outfit from 1862 to 1893. (3) John Townes, Gonzales, Texas, rancher. He drove "mossyhorns" up the trail while cowtowns in Kansas were coming into existence. (4) Gus Black, who built the first barbed-wire fence around one of his own pastures in Maverick County, Texas.

By J. FRANK DOBIE

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for a time justice of peace at Roswell, New Mexico. He had been married and divorced, and as a justice he hesitated to marry couples; had no confidence in the outcome of such joinings. Against his judgment, he married a cowboy and a woman who appeared before him. He wrote out a marriage certificate—and put it in his desk. Some weeks later the cowboy appeared to complain to Justice Upson that his wife stayed in bed every morning until after sunup, would not cook the kind of grub he liked, refused to help him work cattle. He wanted a divorce.

"You don't need a divorce," Ash Upson said. "The day I married you I sized that woman up. I never sent the marriage certificate in to be recorded." He drew it out of his desk, tore it into bits, and concluded, "You are now by law just as free as you were before marrying. Go back to the ranch, take the bridle off that woman, and turn her out to graze where she came from."

The ballad of *Silver Jack* came from some sophisticated writer and not from working men. Its setting is a camp of Michigan lumber cutters, but John A. Lomax heard it in cow country and put it in his *Cowboy Ballads*. Its burden is conformity versus free thinking.

A fellow in camp by the name of Robert Waite, tonguey and "what they call a skeptic," said hell was a humbug, the Bible a fable, and the Savior "just a common man." Silver Jack yelled, "You're a liar, and you've got to take it back."

They fit for forty minutes
And the crowd would whoop and cheer
When Jack spit up a tooth or two,
Or when Bobby lost an ear.

But at last Jack got him under
And he slugged him once or twicet,
And straightway Bob admitted
The divinity of Christ. . . .

Then someone brought a bottle out
And kindly passed round. . . .

. . . And the spread of infidelity
Was checked in camp that day.

I have never heard of a cow country shooting over religious beliefs. More attention was paid to nonconformity in eating than in creed. "A fine-haired kind of man" named Allsup came to central Texas while the land, except for a few corn patches, was unfenced. He married a woman determined to take care of him and invested about $500, all he had, in eighty-five head of "she" cattle. In the spring following, cattle owners gathered for a week's cowhunt, to brand calves and gather big steers to sell. Allsup joined in. His horse was weighted with a pair of enormous saddle-pockets stuffed with two large, round loaves of bread his wife had baked, a boiled ham, and sugar to sweeten his coffee.

Picking up cattle as they worked a strip of country, the men nooned at a creek. They made a fire, set a pot of coffee to boil and, with green sticks for skewers, broiled meat they had brought along. Tomorrow they would kill a fat calf. Each had cold biscuits in a black, greasy wallet. When they sat down to eat they noticed Allsup about thirty steps off to one side eating a slice of ham with lightbread and putting sugar in his coffee. That evening they penned their cattle at a ranch down the creek and camped. Allsup again ate apart.

At daylight next morning two youngsters were pretending to sharpen their knives on a grindstone made from sticks and one of Allsup's round loaves of bread. The horseplay and laughter roused Allsup to curse the boys and threaten to whip them. "You better ca'm down and do as other people do, if you want to raise cattle around here," the leader of the cow crowd advised him. He took to eating broiled beef at the common campfire.

Men dressed pretty much in the same kind of boots, shirts and breeches, though not so uniformly as modern rodeo performers, few of whom would know how to work cattle. They were especially intolerant of innovations in hats. A tenderfoot's derby might be snatched from his head, tossed up high and perforated with six-shooter bullets.

JOHN D. TALLEY was eighty-five years old when I came to know him at Austin, Texas, in 1938. He had been reared on the frontier by gentle parents, had ridden with wild riders and gone up the trail with wild cattle. In his later years, at least, he always looked as if he had just stepped out of a bandbox. He was a gentleman in speech and manners, and a superb storyteller. One story he told sums up the code of blood and ethics in the Old West.

"In 1880 I went up the trail with a herd of Ellison's cattle. Jack Robinson was boss. We had hard luck with hands all the way. Two got crippled so they had to be sent back, and two others quit.

"We were shorthanded in the Indian Territory when one evening just before supper a man rode up. He wore extra-good clothes, all clean, six-shooter and a belt full of cartridges. He was on an extra-good brown horse and carried a Winchester in a scabbard. Whatever clothes he carried were rolled up in his blanket with a slicker over it, tied behind his saddle. Of course, we asked him to get down, eat supper and spend the night. He said his name was Will Hardin.

"After unsaddling, he led his horse about a hundred yards off, fastened a pair of Mexican rawhide hobbles around his front ankles, and turned him loose. The next morning the horse was close to where he'd been left. Hardin took the hobbles off and fastened them in a rung on the side of the chuckwagon. Jack Robinson picked out from the remuda five horses for him to ride. Every evening when he caught his night horse he would also lead out his own brown, hobble him and turn him loose a little out from camp. Then next morning he would take the hobbles off, fasten them onto the wagon rung, and put his

horse in the remuda. He was quiet all the time, and he was a good hand.

"Our boss had a kind of flunky in a Negro hired as a regular hand. In a way he was, but he washed Robinson's clothes, saddled and unsaddled his horse, brought his coffee to him before he got up, and so on. Trail bosses with body servants were about as scarce as hen's teeth.

"One evening after Hardin had been with us about a week, he brought his brown horse up to the wagon to hobble him. The rawhide hobbles were gone. Robinson's night horse was hobbled a short distance away. Hardin turned to the Negro, and the Negro admitted he had taken the hobbles and put them on his boss' horse.

"'Get those hobbles and bring them here and be damned quick about it,' Hardin ordered.

"The Negro obeyed. 'Now,' Hardin said, 'I never bother anybody else's property or poke into anybody else's business, and I want my own property left alone.'

"About three evenings later the hobbles were missing again. Robinson was lying on his pallet part way under the wagon and his Winchester was leaning against the wagon wheel.

"'G— d— your soul,' Hardin said to the Negro, 'I told you to leave those hobbles alone. Now get them off that horse and bring them here, and if you ever touch them again, I'll make a sieve out of your insides.'

"He added some other strong words. I will always believe that Robinson had put the Negro up to taking the hobbles. Anyway, the Negro acted as if the boss would back him up.

"'I ain't going to take no sech talk from nobody,' he said, and started to reach for his six-shooter, which hung low on his hip.

"Before he got the gun out of the scabbard, he fell back dead with three bullets through his heart. I never saw anything swifter in my life than the way Hardin got his gun out and pumped the lead. Later on we looked at the bullet holes; you could have covered all three with a saucer. They had come almost as one.

"At the shots, Robinson jumped up and reached for his Winchester.

"'Stop,' Hardin ordered. And Robinson stopped.

"Hardin was backing into a position so that he had the whole camp in front of him. The horse he had been riding that afternoon was still saddled. He had roped out his night horse and his private mount from the remuda and walked up leading all three.

"'Mooney,' he now spoke to the cook, who was a white man—a decent fellow—and he spoke calm and polite. 'Mooney, will you please get my hobbles off that horse out yonder?'

"Mooney went to get the hobbles. Meantime, his eyes covering everything. Hardin changed his saddle to his own horse. 'Thank you,' he said to Mooney. 'Now, please hand me my blanket and slicker out of the wagon.'

"Mooney laid the blanket and slicker, neatly rolled up, over Hardin's left arm. Hardin tied the roll behind his saddle and asked, 'Will you kindly bring the money that Mr. Robinson owes me?' Mooney got it for him. Then Hardin began to back off, leading his horse with an arm between the reins. We could see his fingers working, putting fresh cartridges into the six-shooter.

"About a hundred yards from the camp, he turned his back to us, mounted and rode to a little rise. There he stopped, turned his horse to face us, waved, yelled, 'Adios, boys,' and rode on south.

"Nobody had said anything during all this time. There were two other Negroes in the outfit, and they were scared to death. They wanted to quit but were afraid of Indians, and we persuaded them they were safer with us than they'd be trying to bet back to Texas by themselves. There was no reason for them to fear us white men. We got along with them well. They were good hands and good men. They would not touch the body of the dead Negro. We dug a shallow hole with an axe and the long-handled spade the cook used for moving coals. We wrapped the body in a blanket and covered it up. The next morning we left the place without marking the grave.

"Robinson didn't say what he thought. The rest of us thought Hardin had done the right thing. He had tended to his own business and left other people's business alone."

AT A GATHERING of the Old-Time Trail Drivers in Texas in San Antonio in 1926, I heard a man named Folts tell this incident. One fall in the '80s while he was working with the Continental Cattle Company on the Plains along the Texas-New Mexico line, gathering beef cattle, the cook came up missing. Everybody had to have food and somebody had to prepare it. First one cowboy and then another cooked, each doing his worst in hope of being relieved, but nobody complaining, for whoever complained would have to cook.

One noon while the outfit was eating dinner on the prairie near a lake, a stranger rode up. Somebody told him to get down. He wanted to speak to the boss.

"There he is over there," one of the men pointed.

He walked up to the boss and said, "I'm looking for a job."

"Can you cook?"

"Yes, my middle name is Cook."

"Well, you're hired," the boss said. "What'll we call you?"

Evidently appreciating the nicety implied in the question, the stranger replied, "You can call me Bill."

His worldly goods were in a flour sack tied behind his saddle. He untied it, unsaddled his horse, and turned him loose with the remuda, which was out not far from camp. Then he tied a fairly fresh flour sack around his waist for an apron and flew into his new job.

The men all left. When they got in for supper they found well-cooked meat, well-cooked sourdough bread, beans just right, stewed dried apples for dessert, and all the plates, cups, knives and forks clean and in order. Of course, nobody bragged on the cook; that would have been unethical.

The next day at noon while most of the men were eating, only two or three holding the beef herd, the cook who called himself Bill said out loud to the boss, "Who's in charge of this chuckwagon?"

"Why, you are, of course," the boss replied.

"I'm glad to hear it," said the cook. "I thought I was, but wanted to be sure. And now," he went on, turning to the cowboys, "you fellows have heard. When I came here nobody seemed to be in charge of the wagon, and everything in it was a mess. The horseshoes were mixed up with the rice, the axle grease with the lard, and the sugar with the salt. I'm getting things in order and propose to keep them in order. If anybody from now on wants anything out of this chuckwagon, let him ask me and I'll get it, but I don't want anybody at all going into the chuckwagon for anything at any time."

The cook didn't talk grouchily; he just laid down the law cold and plain. Nobody said anything, at least right then. The hands roped out fresh mounts and left, most of them to hunt cattle, leaving three men to hold the herd. The steers were logy with grass and water, and so the men on herd went to "riding one horse"; that is, while waiting for the cattle to move, they got together on one side to chin.

One of them, young and green, hadn't been out in cowboy country long. He was dressed out of Sears, Roebuck and Company's catalogue. He said to the others, "I don't like that bullying talk from the new cook."

One of the others said to him, "That's not bullying talk. All good cooks are cranky and, anyway, any cook worth a damn runs his own chuckwagon."

"I don't care," the young squirt said, "I'm not going to let this one come and run any ramnicky business over me. I'm going down there and call his hand."

One of the other men advised, "You could get into trouble, you know, butting into another man's business."

But the ambitious young cowboy socked the spurs into his horse and galloped right up to the chuckwagon, raising a dust that wasn't calculated to make him welcome. He threw the bridle reins to the ground and jumped up on a front wheel of the wagon.

The men's duffel bags were generally carried in the bed toward the front. The young man reached as if to pull out his duffel bag. He hadn't more than bent over till the cook reached too. He pulled out a six-shooter and shot, and the young cowboy fell back on the ground dead.

The horse wrangler wasn't very far off with the remuda. The cook waved his hat to him. The wrangler, who had herd the shot, began driving the remuda in. The cook roped out the horse he'd ridden up on the day before, saddled him tied his flour sack of possibles behind the saddle, and rode off.

Folts stopped the story at this point. I asked him, "What did you all do?"

"Why," he said, "we didn't do nothing. We figured that young fellow had made a mistake in not tending to his own business and needed a lesson."

"He got it a little late to make use of it," I said.

"Somebody else could make use of it," Folts said, "and maybe so still could."

A cook's wagon was his house, and more than 300 years back in the Elizabethan Age, Sir Edward Coke, in a pronouncement on the Common Law, declared a man's house to be his "castle and fortress, as well for his defense against injury and violence as for his repose."

ONE TIME a cow outfit camped on a river within a hundred yards or so of a nester and his family. They seemed to be living on fish, game and milk from three cows. The chuckwagon cook bought a big tomato can of buttermilk from the nester's wife, set it down beside his flour sack and had his back turned washing his hands, when one of the cowboys idling in camp snaked over, lifted the can to his mouth and drained it.

When the cook found the milk gone he said nothing, walked to the nester's camp

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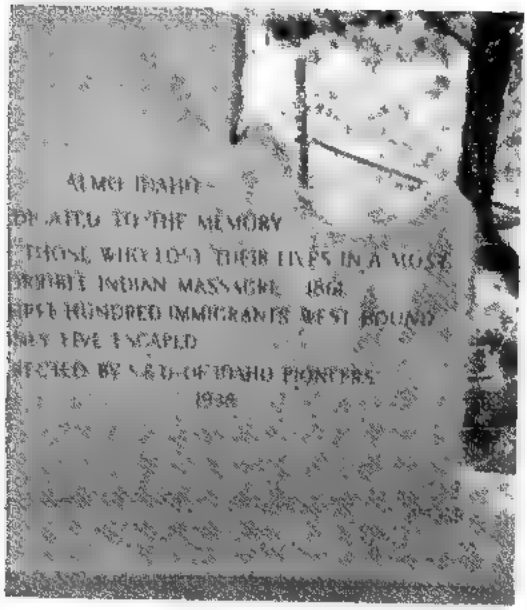
ALMO IDAHO
TO THE MEMORY
THOSE WHO LOST THEIR LIVES IN A MOST
BRUTAL INDIAN MASSACRE 1862
FIFTY HUNDRED IMMIGRANTS WEST BOUND
ONLY FIVE ESCAPED
ERECTED BY SONS OF IDAHO PIONEERS
1936

Above is the campsite where the travelers stayed the night before the massacre. The area below is one-fourth mile southwest, where the actual massacre took place.

The WARD MASSACRE

By HERBERT LASATER

Photos Courtesy James Miller

In an attempt to find forage, the wagon train split into three parts. Those who fired the grass and forced a halt watched—and waited—and smiled

A TRAIN of twenty-three wagons topped a small rise on the prairie in what is now the State of Idaho. The drivers halted in unison to survey the scene of murder and carnage that lay spread below and in front of them. A small, dry watercourse marked the scene of the tragedy. The remains of seven wagons were scattered around a small area. The dead and partially burned bodies strewn about were those of their missing friends and neighbors. Members of the large party fell silent, thinking back on the events that had led to the scene they were now viewing.

In 1854, thirty wagons had banded together to begin the long and dangerous journey to the Puget Sound—a land of perpetual green and unlimited opportunity that lay far to the west across the nearly uncharted prairies and mountains. The party hoped to follow the trail on the long trip that had been opened by Marcus Whitman's emigrant train of 1843. This group planned to leave the Oregon Trail near Fort Walla Walla. From that point they expected to follow the path blazed the previous year by James Longmire and his party. This way led up the Naches River to the top of the Cascade Mountains before dropping down to the Puget Sound area. Here they hoped to begin life anew.

This large train, commanded by Captain J. P. Coates, crossed the Missouri River at St. Joe in the month of May. They traveled up the valley of the Platte to cross the backbone of the continent, the Rocky Mountains, at South Pass. Continuing west, they reached the Snake River about the middle of August. Thus far the trip had been marked only by monotony.

Shortly after the party left the Snake they came to a creek that was then called White Horse Creek. Up to this point forage for the livestock had been plentiful. But here the situation changed very abruptly. On the west side of this small stream the ground was charcoal black. And as far as the eye could see to the west not a single large patch of green was evident. The grass had been burned—and recently—except for small scattered clumps that had somehow escaped the flames. A night camp was made on the east side of the creek.

That night a council was held to determine their course of action. They could not turn back as they were too far from home. They could not continue as they were as there was not enough forage to support the large bunch of stock with the train. It was thought at first that Indians might have burned the grass, but as no Indians had been seen so far, this idea was discarded as farfetched.

The Captain then advanced an idea that met with approval. His suggestion was to split the large train into smaller parts and to follow different routes through the burned area. Enough small patches of grass might be left to feed smaller bunches of stock.

Horn's Guide For Emigrants, a guide book carried by most emigrant trains following the Oregon Trail, showed a splitting of the trail some distance ahead. Captain Coates gave explicit instructions for none to go very far beyond the burned area. In any event they were to meet at the splitting of the trail—a place called Jeffries Cutoff.

THE FIRST TRAIN to leave the following morning was composed of seven wagons and was called the Ward train, being made up of several related families of Wards. It included all of the Ward kin except for one woman who stayed with Captain Coates' party.

The second train to leave, taking a different route, was the largest with nineteen wagons. It was led by Captain Coates himself. This train, probably because of its size, was not bothered by Indians except for one fast raid.

The third and last of the groups had only four wagons containing the Kirkland, Cox, Lake, and Walter Perry families. In addition, two single men without families were with this train. They were a Mr. Cantrell and a Mr. White.

About an hour after splitting the trains and leaving the campsite, the last group was on an open plateau between two canyons. Suddenly they saw a large party of Indians coming up out of one of the side canyons. With whoops and yells, the redskins ranged in front of the wagons forcing them to halt. Many were on foot and unarmed but a number were mounted and supplied with bows and arrows. A few had guns. They called for whiskey but there was none in the train for Indians. They then called for trade goods but this talk soon bogged down as the whites had none to spare.

While talking, some of the Indians raised their guns and fired at the white men. Mr. Lake fell dead at the first shot;

(Continued on page 42)

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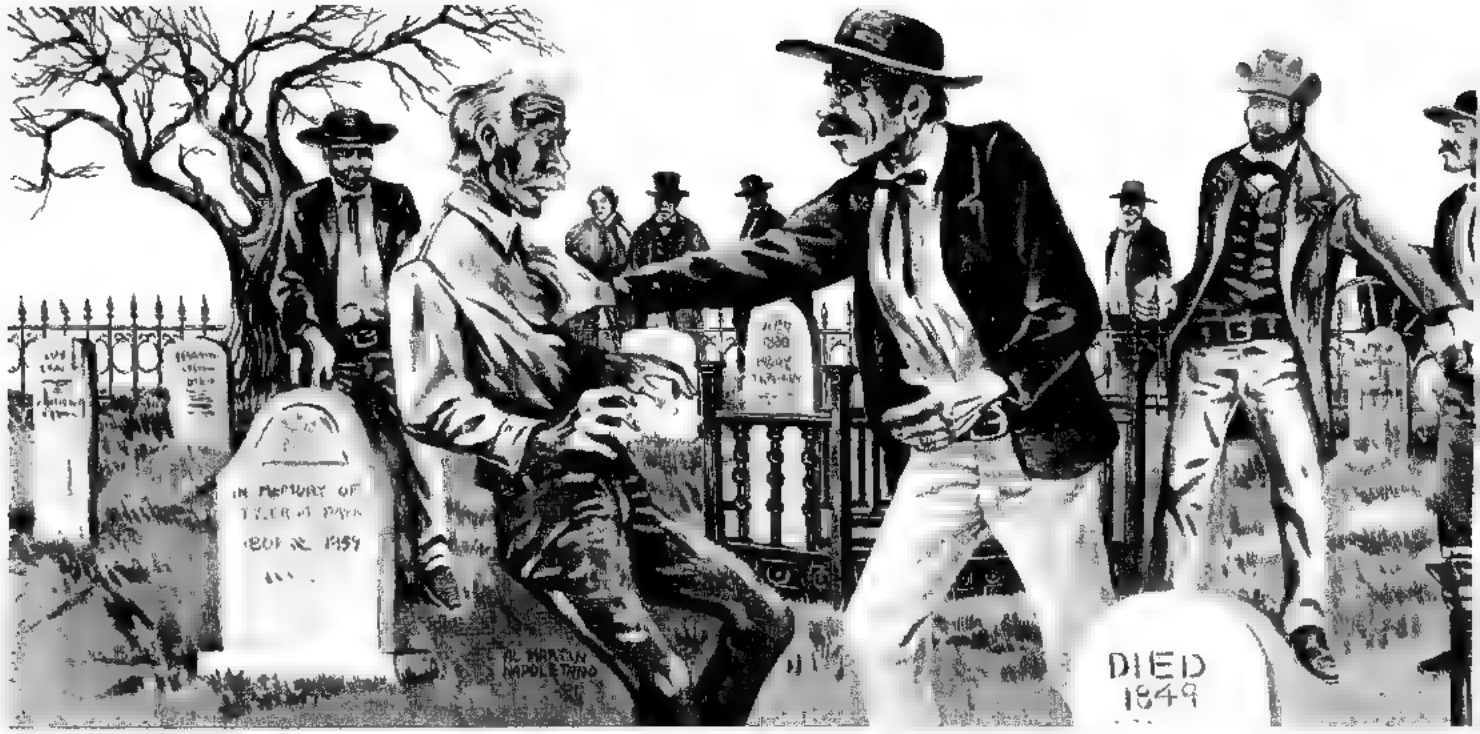

THE DISCOVERY that Jean Baptiste, a grave digger in the Salt Lake City cemetery, not only dug graves but also reopened them and robbed the bodies, touched off one of the most intense periods of excitement in the annals of that Mormon city. This strange episode is all but forgotten today; however, the passions that were aroused in the winter of 1862 by the discovery of this little man's infamous deeds were such that "the women in their poignant grief would have torn Baptiste into shreds had he not been protected by the iron bars of a prison."

Jean Baptiste, more commonly called "John the Baptist," was reportedly born in Venice, Italy, in 1814. Before coming to Salt Lake City he had worked as a grave digger in Australia, and from the beginning he had been unable to "leave the dead buried." At night he would exhume the bodies, remove the clothes and jewelry, sell what he could, and keep the rest. Matthias Cowley reports that while in Australia, Baptiste collected enough money in this manner to build a house of worship which he donated to the Methodist Church.

Coming to Salt Lake City shortly before 1857, Baptiste applied for work at the city cemetery. Col. J. C. Little, City Sexton, gave him a job, and for the next five years the little grave digger quietly plied his trade, hardly noticed by anyone. In January, 1862, when relatives disinterred the body of Moroni Clawson to remove the remains to another location, Jean Baptiste's secret avocation came to light, and the city at once became the scene of the wildest confusion.

Moroni Clawson was one of a band of ruffians who waylaid Governor John W. Dawson as the latter was making his escape from Salt Lake City to the East. Dawson, Lincoln's first appointee as Governor of Utah, had arrived in Salt Lake City early in December, 1861, to take office. Within three weeks he had made himself thoroughly unpopular by his political policies, and in addition he had incurred the ire of the city by attempted improprieties toward one of the prominent widows of the city.

Sensing the dislike building up against him, Dawson decided to quit Salt Lake City. He boarded an eastbound stage on December 31. Moroni Clawson and his cohorts followed the stage and overtook it the next day at Hanks Station at Mountain Dell between the Big and Little Mountains. They pulled Dawson out of the stage and gave him a severe beating.

MOST OF THE gang were quickly apprehended but Clawson, along with John P. Smith and Lot Huntington, remained at large until January 16, 1862, when they were located by Deputy Sheriff Porter Rockwell. Huntington was killed resisting arrest, and the other two were taken by Rockwell to Salt Lake City. The next day Clawson and Smith attempted an escape, and both were shot and killed.

Since no one came forward at the time to claim Clawson's body, he was buried in the potter's field area of the Salt Lake cemetery. Some days later, members of Clawson's family appeared and obtained permission to move the body to the cemetery at Willow Creek (now called Draper) in Big Cottonwood Canyon. When the grave was opened, the body was found completely naked.

Henry Heath, a member of the Salt Lake City police force, had been in charge of Clawson's burial. A few days after the removal of Clawson's body, Heath stopped in Willow Creek on business and was accosted by George Clawson, Henry's brother.

When George accused Henry of having improperly buried his brother, Heath became quite upset, for he not only had buried the body in a full set of burial clothes but had purchased them with his own money. As Heath later put it, "I don't believe any pauper ever had better or cleaner burial clothing than he."

Returning to Salt Lake City, Heath sought out Judge Elias Smith who advised him to take three or four men and investigate the situation quickly. The men went first to see Sexton Little, but Little could shed no light on the puzzle.

Heath and his party then went to Jean Baptiste's home on Third Avenue, between P and R Streets, where they were admitted by Baptiste's feeble-minded wife. Noticing several boxes of clothing in the living room, the men made a quick investigation and found the boxes filled with "the robes of people who had been buried in the city cemetery for several years past." In all "about 60 pairs of children's shoes and small clothes were found in his house—about a dozen men's shoes, garments and many parts of suits of females."

Heath and his men proceeded immediately to the cemetery where they found Baptiste carrying out his normal duties. When first accused he claimed innocence, but when Heath laid angry hands on him Baptiste quickly confessed and pled for mercy. Heath had buried one of his own daughters a short time before, and one can easily imagine the fears and apprehension in the officer's heart as he faced the confessed grave robber.

Leading Baptiste to his little girl's grave, Heath demanded, "Did you rob that grave?"

"No, no, not that one," replied Baptiste.

Heath later recalled that Baptiste's answer "saved the miserable coward's life."

News of the culprit's arrest spread like wildfire throughout the city. The clothing found in Baptiste's house was taken to City Hall, spread out on a table fifty feet long, and all public business was suspended for the day as friends and relatives of deceased persons filed in to make identification. The atmosphere was one of near hysteria, for many of the people recognized garments in which their loved ones had been buried. Had not Baptiste been securely confined in the innermost cell of the jail, the "populace would have torn him in pieces such was the excitement produced by the unheard-of occurence."

ALTHOUGH Baptiste remained in jail for approximately three weeks, historian Dale Morgan reports that no

Salt Lake City GRAVE ROBBER

By GEORGE U. HUBBARD

In 1862 a populace was thrown into a panic—not for the living, but for the dead!

Illustrated by Al M. Napoletano

mention is made of him in the official records. The only recorded references to his confinement are found in the diary of Judge Elias Smith, who questioned Baptiste during this period. On February 1, 1862, Judge Smith wrote: "I had John Baptiste out of his cell and heard his statements as to how he came to engage in the business of robbing the dead and his confession as to the extent to which he carried the operation. According to his acknowledgment he had robbed many graves, but how many he could not or would not tell."

Distraught families threatened to open the graves of their deceased to ascertain the condition of the bodies and, if necessary, reclothe them. The excitement did not begin to subside until Sunday, February 9, when Brigham Young stood before a crowded congregation in the Tabernacle and responded to requests that he express himself regarding the situation.

Speaking first of how to deal with Baptiste, Young said: "It appears that a man named John Baptiste has practiced robbing the dead of their clothing in our graveyard during some five years past. If you wish to know what I think of it, I answer, I am unable to think so low as to fully get at such a mean, contemptible, damnable trick. To hang a man for such a deed would not satisfy my feelings.

"What shall we do with him? Shoot him? No, that would do no good to anybody but himself. Would you imprison him during life? That would do nobody any good. What I would do with him came to me quickly after I heard of the circumstances; this I will mention, before I make other remarks. If it was left to me, I would make him a fugitive and a vagabond upon the earth. This would be my sentence, but probably the people will not want this done."

Speaking next of the matter of reopening the graves, President Young counseled: "Many are anxious to know what effect it will have upon their dead who have been robbed. I have three sisters in the graveyard in this city, and two wives and several children, besides other connections and near relatives. I have not been to open any of their graves to see whether they have been robbed, and I do not mean to do so. I gave them as good a burial as I could; and in burying our dead we have made everything as agreeable and comfortable as we could to the eye and taste of the people in their various capacities according to the best of our judgments; we have done our duty in this particular, and I for one am satisfied.

"I will defy any thief there is on the earth or in hell to rob a Saint of one blessing. A thief may dig up dead bodies and sell them for the dissecting knife, or may take their raiment from them, but when the resurrection takes place, the Saints will come forth with all the glory, beauty and excellence of resurrected Saints clothed as they were when they were laid away."

Young further remarked: "Do as you please with regard to taking up your friends. If I should undertake to do anything of the kind, I should clothe them completely and lay them away again. And if you are afraid of their being robbed again, put them in your gardens, where you can watch them by day and night until you are pretty sure that the clothing is rotted, and then lay them away in the burying ground.

"I would let my friends lay and sleep in peace. I am aware of the excited state of the feelings of the community; I have little to say about the cause of it. The meanness of the act is so far beneath my comprehension that I have not ventured to think much about it."

THE PUNISHMENT suggested by Brigham Young was put into effect by exiling Baptiste to Miller's (now Fremont) Island in the Great Salt Lake. To have turned him loose in the community would surely have meant his life. Miller's Island was remote and uninhabited, being used at the time as a stock range by Henry and Dan Miller, Davis county stockmen.

Special policemen took Baptiste by wagon from the county jail to Antelope Island. The lake was low enough before the spring thaw to permit wagon travel to that point. The Miller brothers then ferried Baptiste five miles north to Miller's Island which stands in deeper water.

The Millers were in the habit of visiting their island every three weeks. On their first visit following the banishment, they found Baptiste getting along quite well, having helped himself liberally to their provisions. But before their next visit Baptiste disappeared. The only signs he left behind were the carcass of a three-year-old heifer whose hide he had cut into thongs, and some missing boards from the Millers' shanty. He evidently had made a raft on which he escaped.

What subsequently happened to Jean Baptiste is a mystery. One report says he was later seen in a Montana mining camp. Another says he joined an emigrant train and made his way to San Francisco and thence to Southern California. A third suggestion is that Baptiste died making his escape.

This latter theory was proposed some thirty years after the banishment when a headless skeleton with a ball and chain attached to one leg was found at the mouth of the Jordan River which empties into the Great Salt Lake.

In March, 1892, the Salt Lake *Herald* recalled the bizarre episode by declaring that this was Jean Baptiste's skeleton. Two months later, Salt Lake's *Deseret News* countered by printing interviews with Henry Heath and Albert Dewey, both of whom had participated in the affair. Dewey, who had helped escort Baptiste to Antelope Island, avowed that no ball and chain had been attached to the prisoner. Dewey also denied the generally accepted belief that Baptiste had been branded and his ears cut off at the time of his banishment. Instead, Dewey recalled, Baptiste was tattooed with indelible ink across the forehead with the words, *Branded for Robbing the Dead*, and he "fell at our feet and wished to kiss them, thanking us many times for allowing him to live."

The true fate of Jean Baptiste, alias "John the Baptist," may never be known; he seems to have disappeared completely. One thing, however, is certain. The grave robber was never again seen in Salt Lake City.

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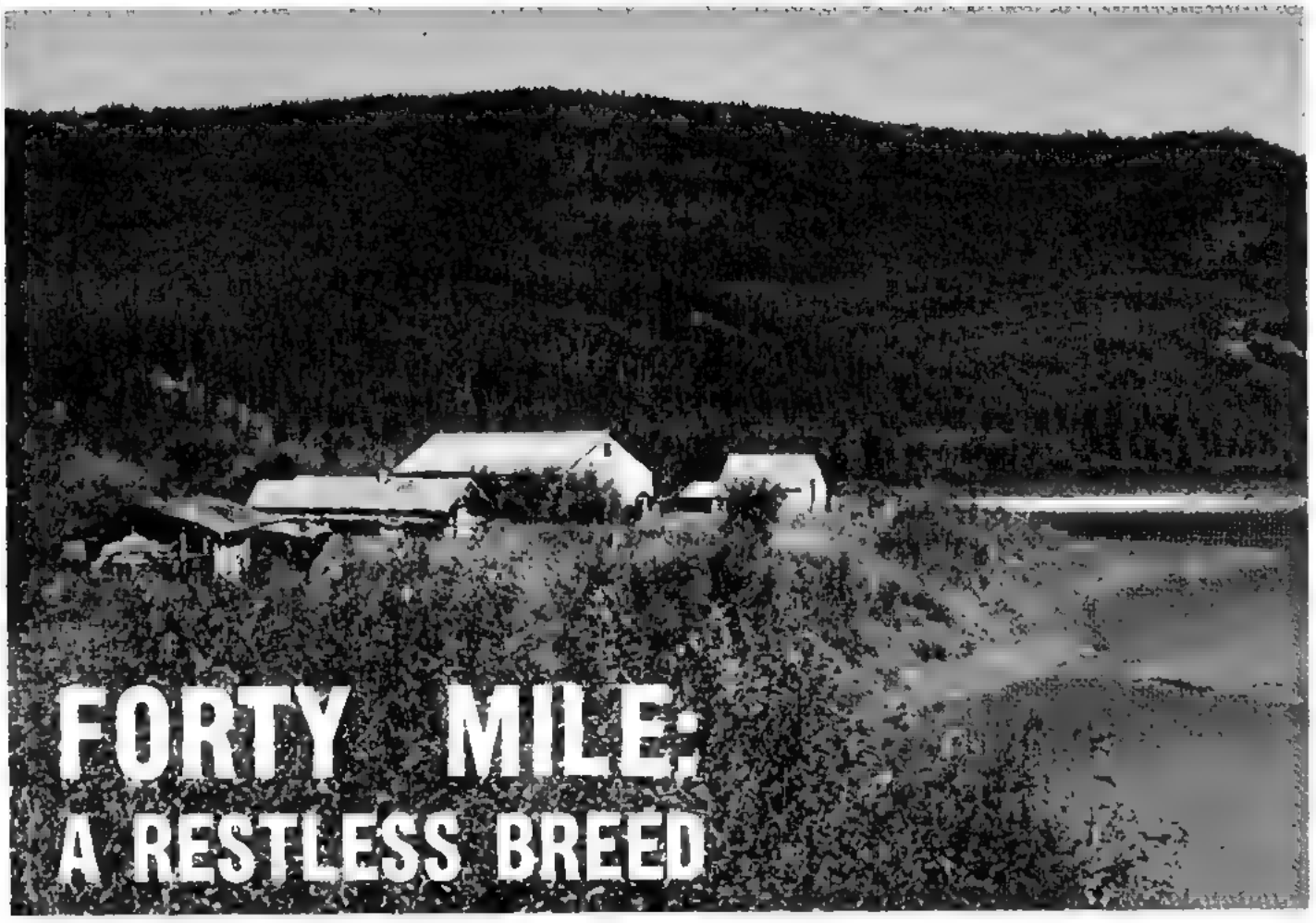

FORTY MILE: A RESTLESS BREED

A FEW days' drift down the Yukon from Dawson, several deserted log buildings mark the remains of Forty-Mile, a town which had flourished for nine years prior to the Klondike strike.

Forty-Mile sprang up almost overnight, and died just as quickly. Its sudden birth and death hinged on a single spoken word—gold.

In March, 1887, a dying man was brought by sled to Healy's Trading Post on Dyea Inlet. He was half starved, frostbitten and delirious, but from his mutterings men pieced together a nightmarish journey he and an Indian companion had made from a trading post on the Yukon River. The pair had struggled across 500 miles of wilderness considered all but impassable in the winter. With their sled dogs dead and their food reduced to a few mouthfuls of dry flour, they had clawed a snow cave with their hands for shelter from a raging blizzard near the summit of Chilkoot Pass. Somehow they were able to stumble down to a miner's camp at timberline, the Indian carrying his unconcious companion on his back for much of the way. At the camp, a sled was provided for the final canyon trail to Healy's Post.

Often in his delirium, the dying man would whisper the name, Forty-Mile River. The listeners would press close, thinking perhaps here was the clue to why such an impossible journey had been undertaken. But it was the Indian who finally provided the answer. Reaching into a sack of beans on the store counter, he flung a handful on the floor.

"Gold," he said, "all same like this."

Fired by such news, several hundred men struggled into the interior of the Yukon. This was a mere trickle compared to the thousands who would later stampede to the Klondike, but it was enough to establish Forty-Mile, however briefly, as the most important settlement in the area.

The automobile had not yet become a part of the American scene when this box was last filled with mail.

ON AN August afternoon, nine years after the Indian's dynamic announcement at Healy's Trading Post, a squawman named George Carmack downed two whiskeys neat at Bill McPhee's saloon at Forty-Mile. He turned then to the men gathered there.

"Boys," he said, "I've got some good news to tell you. There's a big strike up the river." He poured out a cartridge shell of gold onto some scales.

Fourth in the series of "Ghosts Along The Yukon"

By MICHAEL JENKINSON

Photos by Karl Kernberger

Just an occasional wilderness hunter wanders by the deserted buildings in Forty Mile, since it can be reached only by floatplane or boat.

By the following dawn Forty-Mile was a ghost town. The Klondike rush had begun.

During its brief zenith, Forty-Mile passed from a rough cabin settlement where rows of pickle jars, chinked with moss, served as windows, and stumps were hacked into seats, to a town that boasted Shakespeare clubs, a cigar factory, and a saloon outfitted with Chippendale chairs.

Forty-Mile was peopled by a restless breed—an individualistic and sometimes eccentric sort who always kept one horizon ahead of civilization—ahead of the railroads, plowed fields, the bulge of villages into towns, of towns into cities. One, nicknamed Cannibal Ike, favored his moose meat raw; another, who was called the Old Maiden, packed fifty pounds of out-dated and tattered newspapers with him for, as he put it, "they're handy to refer to when you get into an argument." Still another early-day citizen of Forty-Mile pared the walls of his cabin for firewood, until there was only the thinnest partition between his living quarters and the sub-Arctic winter outside. When questioned about this peculiar activity, he replied that it let in daylight.

But if they were eccentric, they were also strong and constantly seeking. They, and others like them, inherited the dreams of the men who had pushed the frontiers of America across a continent. They were always alert, listening for word of new lands, of gold or silver in unmapped hills.

Isolated as it was, absolutely cut off from the rest of the world for eight winter months, the citizens of Forty-Mile devised their own entertainment. The starting point for a lively evening was invariably one of the community's ten saloons where, except for those rare occasions when a steamboat landed with real whiskey aboard, the tipple was Forty Rod Whiskey. Forty-Rod Whiskey was distilled from molasses, sugar and dried fruit which had been fermented with sourdough, and was so named because local legend had it that the potent concoction could kill a man at that distance.

Once inspired by such indigenous spirits, a squaw dance with local Indian women might be initiated; or a trip out to Liar's Island in the middle of the river might be made, the celebrants then assaulting one another with tales of astonishing implausibility.

Their stories and dreams, the destinies of Cannibal Ike and the Old Maiden, have long since been buried by time. Left only is a cluster of cabins where the Forty-Mile joins the Yukon, far from roads or curious eye, where the tracks of moose and bear are thick around doors that swing loosely in the wind.

Snowshoes, unused for years, hang on the wall of a deserted cabin below. Ghosts of the past seem to linger in the empty room at right. The pipes along the floor appear to have been part of a heating system.

Editor's Note: Not long ago, G. W. Hockley sent us an old newspaper from his country which carried an interesting reprint from the States. The New York *Sun* had published an article on Wild Bill Hickock's death. Leander Richardson wrote a lengthy rebuttal to the *Sun's* article and we are publishing it verbatim as it was reprinted in *The Weekly Press*, February 15, 1894, New Zealand.

TO THE EDITOR OF THE SUN, —SIR, In the SUN a few days ago, there appeared a little article, copied from the DENVER REPUBLICAN, and headed "How Wild Bill Died." The article, as a fairy tale, is not uninteresting. It gives what purports to be an interview with a "Mr. Adler," who "has known almost all the pioneers of the West and was a friend of that picturesque figure in Western history, Wild Bill."

This "Mr. Adler," we are told, was within a few paces of Wild Bill when that celebrated man was killed, and knows all about it. According to him, Wild Bill was a card sharp, who "occupied the same cabin" with "M'Caull," who shot him. The two of them were in the habit of fleecing strangers, in partnership, and it was over one of these cheery little affairs that they fell out.

This is the gist of the tale, but it has some other rather fine details in the line of fiction. For instance, "Mr. Adler" tells the DENVER REPUBLICAN how Wild Bill made his first appearance in Deadwood one day, "with his long yellow hair pouring down his shoulders, his sombrero cocked sideways on his head, and with two ivory-handled pistols in their holsters, swinging at either side." He was, it seems, "an inveterate card player, and cheated and robbed at the tables with the greatest ease imaginable." And, when "M'Caull' finally shot his alleged partner in the back of the head, "Wild Bill fell over with his face among the poker chips, stone dead."

Good liars are, as a rule, shy about going into details. It is in little places that a fraudulent armor is fatally defective. If "Mr. Adler," whoever he may be, had merely stated that he was near Wild Bill when the termination of that frontiersman's career occurred and had "stood pat," there would have been nobody to deny his statement, and he might have continued to pose as the familiar of pioneers in general and this one in particular. But the facts in regard to "Mr. Adler's" story are that Wild Bill did not live with "M'Caull" (whose name, by the way, was "M'Call") in a cabin, nor did he live in a cabin at all. Wild Bill did not have "long yellow hair," but brown hair; his "two ivory-handled pistols" were just one old-fashioned Colt's revolver of the regulation army pattern, with blue steel barrel and wooden handle. There were no poker chips used in the game where he was killed, and at cards he stood about as much chance of cheating anybody as a bull pup would stand of making a Jurgensen chronometer. I myself am not a dazzling expert in the art of poker, but in a single day I won from Wild Bill forty freezeouts, he winning two.

The last days of this man's life in Deadwood were interesting. I know all about them, because I was there. I was the guest of Wild Bill, and his partner was a natty, handsome, courageous little man named Charles Utter. He was called Colorado Charley, and was the dandy of that country. He wore beaded moccasins, fringed leggings and coat, handsome trousers, fine linen, revolvers mounted in gold, silver, and pearl, and a belt with a big silver buckle. He was blonde, with long hair and a moustache, and imperial, and "Calamity Jane," who bossed a dancehouse, had it as her sole ambition, aside from the consumption of all the red liquor in the gulch, to win him. Mr. Utter had one habit that was rather startling in that community. He took a bath every morning, and people used to come out and view the process with interest not wholly unmixed with wonder.

Oklahoma University Rose Collection

C. H. Utter, alias "Colorado Charley," sits by the grave of his friend, "Wild Bill," after erecting a marker which read as follows: "Wild Bill, J. B. Hickock, killed by an assassin, Jack McCall, Deadwood, Black Hills, August 2, 1876—Pard we will meet in the Happy Hunting Grounds to part no more." Colorado Charley, C. H. Utter

CHARLEY UTTER and Wild Bill (whose real name, by the way, was J. B. Hickock) used to live across the creek from the main part of the settlement, which at that time consisted of two lines of shanties along the sides of an irregular mass of stumps and mud, which formed the solitary thoroughfare. Utter slept in a tent, between fine California blankets, and he had a real mirror, and real combs, brushes, razors and wisp brooms.

Bill was less finicky about his quarters. He slept in a big canvas covered wagon, rolled up in an army blanket. Every morning, just before breakfast, he used to crawl out, clad in his shirt, trousers and boots, tie his hair in a knot at the back of his head, shove his big revolver down inside the waistband of his trousers, and run like a sprinter down the gulch to the nearest saloon. In a few minutes he would come strolling back, with a cocktail or two stowed away where it would do the most good, and would complete his toilet.

It is true that he played cards a good deal. But he could not have cheated a blind baby. Almost every day his partner used to "stake" him to card money. If he ever won, nobody knew it. And, besides, the crowd that was congregated in Deadwood City in those early days was a fine sort of gathering for a poker sharp to dally with. It was probably by all odds the toughest outfit ever brought together in one community. Virginia

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LAST DAYS of a PLAINSMAN

Fatalists will understand Hickok's decision not to leave Deadwood . . . still, if he'd listened to his friends, he would have been far away that day chasing Indian ponies in the wide open spaces instead of breathing his last at a poker table

By LEANDER RICHARDSON Submitted by G. W. HOCKLEY

City, Pioche, Cheyenne, Laramie, and all the other choice spots of the West poured the most effulgent of their star criminal citizens into Deadwood Gulch, and of the 14,000 or so inhabitants in August, 1876, about 10,000 would have started out large beads of cold, apprehensive sweat upon the stone walls of any penitentiary in the world. They were a cowardly, skulking crew at that. One afternoon Bill, Utter and I were walking along the street when a row began in one of the shanties that did duty as a saloon. Everybody rushed in.

"Wait a minute," said Bill. "Pretty soon somebody in there will pull a pop, and you'll see 'em come out."

Pretty soon somebody did pull a pop, and the crowd came out. They came so fast that they brought the whole front of the building with them. Bill said he thought it was a breach of hospitality for a man's guests to carry away the bulk of his house like that.

At night, over in camp, we used to have supper along about sundown. There was generally elk milk, or bear steak, or, once in a while, beef, fried potatoes, flapjacks, and coffee. Utter usually did the cooking, while Bill sat around and smoked, and indulged with his partner in that kind of repartee which abounds on the frontier, and consists chiefly of bold and ingenious profanity.

Sometimes California Joe, a long-whiskered old fellow, who would have instantly shot anybody who dared show him the celebrated greeting, "Good morning! Have you used So'n so's soap?" would come over to sup, and would afterward go stertorously to sleep, sitting on the ground with his back against a tree.

And there was "Bloody Dick," who never saw blood excepting on the moon, and who started to ride Utter's Pony Express, and maybe he has come back by now. Then, too, there were other droppers in, for Utter was hospitality itself, and he could cook in a way that entitles him to a high place in the heavenly culinary department, if there is such a department. After supper the pipes were lighted and Bill would tell stories of New York, and Boston, and Philadelphia, and other cities where his companions had never been. Whenever any of them ventured to express a doubt as to his veracity, he would turn to me and ask me if he hadn't adhered strictly to the facts. I always said that he had understated rather than embroidered the situation. I love truth, but I do not yearn to obtrude my preferences so far away from home. They were great stories that Wild Bill told, and as his other hearers knew nothing about them, and I didn't contradict him, he had a very fair margin for the play of his imagination.

I FIRST MET Wild Bill the first day I reached Deadwood City with a letter of introduction to Utter from his brother, whom I had met on the way in at the Johnny Bowman Ranch on Hat Creek. I was up there partly for experience, and partly for a journalistic kindergarten called the SPRINGFIELD REPUBLICAN. Mr. Utter received me with wide open hospitality, and we started out to hunt up his partner. It was about the middle of a bright sunny afternoon, and we found Wild Bill sitting on a board which was lying on the ground in front of a saloon. His knees were drawn up in front of him as high as his chin, and he was whittling at a piece of wood with a large pocketknife.

"Get up, Bill," said Utter. "I want you to shake hands with a friend of mine."

Wild Bill slowly arose. He came up like an elevator, and he came so high that I thought he was never going to stop. He was unusually tall, and quite spare as to flesh, but very brawny and muscular. His skin was pallid from the use of powerful mineral drugs, and his greyish eyes, which were just beginning to regain their power after almost being blinded altogether by a terrible illness, were rather dull and expressionless in repose. One day afterward I saw them glitter with a sudden ferocity that was strangely luminous, and I realized what this man must have looked like when his blood was up. But, at our meeting, when he folded my hand in his big, strong fingers, his face was almost expressionless, and his eyes were more or less leaden.

We walked about the town from time to time, and saw the sights. There were plenty of them to see—shooting scrapes, stabbing affairs, a lynching, fisticuffs, and various kinds of shindigs of high and low degree. Two men, one afternoon, had a duel with six-shooters across the street. They were not good marksmen, and nobody was hurt, but during the whole fusillade Bill stood near the belligerents, passing derisive remarks on their lack of ability to hit anything, and apparently as unconcernedly amused as if the fighters had been merely throwing soft boiled potatoes at each other.

Later in the week, long after midnight, we were lounging at the end of the bar when a row broke out. The proprietor of the place produced a sawed-off shotgun, loaded about eight inches deep with various missiles of destruction, and ordered the room cleared. I started to go with the rest, but Bill's heavy hand on my shoulder held me fast. When the room was empty Bill said: "Young man, never run away from a gun. Bullets can travel faster than you can. Besides, if you're going to be hit, you had better get it in front than in the back. It looks better." Poor Bill got his in the back, after all.

He was a most wonderful master of the old-fashioned, thumb-cocking army revolver. I have tossed an empty tomato can twelve or fifteen feet in the air and he has hit it with two bullets from the same weapon before it struck the ground. He could shoot quite as well with his left hand as with his right, and he was so sure of whatever he went after that once in Hayes City, it is said, when he killed two Negro soldiers who came in to "do him up," he wanted to bet there wasn't an inch of difference in the spots where he shot them.

I said to him one morning, as he was lying at full length on a big log in front of Utter's tent, "How can a man who is being shot at by two or three other men retain such complete control of his nerves as to shoot back with accuracy?"

"Well," he replied, after a pause, as if he had never given the matter much thought, "when a man really believes the bullet isn't moulded that is going to kill him, what in hell has he got to be afraid of?"

Wild Bill was everything but a ruffian, under ordinary conditions. It was strange to note the control in which he was held by Utter. I was never quite able to decide to my own satisfaction whether Utter amused or awed him. But certainly I never heard anybody take "roastings" with as little concern as that with which Bill used to take the fierce tongue lashings of his dudesque little partner. I suppose, perhaps, they fully understood each other, and knew perfectly well that behind all the words there was an impenetrable wall of manly affection.

Utter's greatest hobby was neatness, a thing which most plainsmen knew nothing of. He positively would not permit Wild Bill, or California Joe, or "Bloody Dick," or any of the rest of them to enter his tent. That, he declared, was a shooting point with him. One day Bill did not get home until after breakfast was over, and everybody gone. He brought with him a very superior article of Deadwood jag, and Utter's fine blankets, seen through the open flaps of the tent, were more of a temptation than he could endure. Pretty soon the big fellow was snoring, calmly rolled up in Utter's bedclothing, and there we found him, Utter and me, when we came over to camp an hour or two later. "Colorado Charley" was at first amazed by the presumption of his partner. For a moment he stood and fervently cursed the unconscious sleeper, and then, catching him by the heels, dragged him bodily out of the tent upon the ground. After that he ran in, pulled out his blankets, and hung them up on the surrounding trees, all the time straining his vocabulary for fresh epithets to hurl at the offender. During the whole proceeding Bill stared at him with lazy lethargy, and then, with a parting grunt, climbed into his wagon and went peacefully to sleep again.

(Continued on page 44)

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OREGON'S Bohemia MINES

By NANCY DORMAN ANDERSON

Photos Courtesy Author

Runway to the Champion Mine mill

THE BOHEMIA Mining District of Central Oregon's Cascade Mountain Range ranks in color and magnitude second only to the gold mining operations of Southern Oregon's Jackson and Josephine Counties. Its role has been vital in enterprises undertaken toward the development of the North Pacific Coast—and an important role in the future is a reasonable probability.

Located in the Calapooya Mountains, a spur of the Cascade Range to the east and the city of Cottage Grove thirty-five miles in the opposite direction, the mines of Bohemia are a landmark of Oregon's youth. Bohemia's star has shown brightly many times in the sky, its brilliance rekindled again and again by discoveries of lodes of fabulous richness. Many of the stories of sudden wealth have been stories of finding rich streaks by pure *accident.*

On the northern slope of Bohemia Mountain, the view of the tall virgin timber and snow-capped peaks is breathtaking. If you had been standing near that spot in the spring of 1863 you would have witnessed two men trudging up City Creek—a branch of the mighty Umpqua. They had hiked a long way—all the way from Roseburg seventy miles to the southwest, and they weren't especially anxious to stop even then.

They had a purpose in leaving Roseburg. James "Bohemia" Johnson had killed an Indian there. (He was called Bohemia because he was born in that country.) Despite the lenient penalty for such a crime in those days—a small fine and a few days in jail—Johnson and his friend, George Ramsey, were running from the law. They probably didn't have the money for the fine and didn't relish spending any time in jail.

The Bohemia City Inn overlooks the townsite. The steep roofs of the area were not architectural fancies; they were designed to shed the crushing weight of the snow.

Hunger stopped the two men, despite their haste in running, and Johnson killed a deer near the creek they were following into the mountains.

Kneeling beside the deer to dress it out, Bohemia found lying beside him a chunk of quartz-embedded gold rich enough to make any man forget his hunger for meat for a hunger of a different kind—wealth.

When other specimens no less brilliant were found, he and his companion lost no time in making their way to the nearby peak (later named in his honor) and surveying the lay of the land. The Coast Fork of the Willamette River finally led them to civilization and an assay office.

WORD SPREAD quickly of Johnson's discovery. Soon prospectors were making their way to the area by the dozens, and he, too, went back up to the mountain to stake a claim. It was to become known as the Mystery Claim, the mystery about it being that he dug about $700 from a small pocket which he *said* then simply played out. Some old-timers felt that he kept his real find a secret, for at this point "Bohemia" Johnson seems to drop out of the picture.

Hundreds of prospectors flocked to the hills to stake claims. Inevitably some means of maintaining law and order had to be established. Miners' meetings were held, and by 1867 the camp near Johnson's find had blossomed into Bohemia City.

The June 1, 1867 issue of the *Oregon State Journal* carried a letter from the president of the Miner's Association, James Butler. The letter carried with it a copy of the Miner's Code of Laws which stated, in part:

Art. 1. The District shall be known as the Bohemia District, and shall extend six miles in every direction from discovery on Johnson's Ledge, Bohemia Mountain.

Art. 5. Claims shall be 100 yards by 25 yards.

Art. 6. One claim only to each person, and two to the original locator.

Art. 12. Water running through "Bohemia City" is reserved to the town.

Art. 13. Town lots shall be 50 by 75 feet, and shall be held by building a house thereon, or by fencing the property.

$10,000,000 in ore has been taken out; authorities believe that probably twice as much remains

The city continued to grow, and in addition to the inn, hotel, post office and saloon, a branch office of the Douglas County recording office was opened in 1868.

Joseph Knott was the first man to sink a lot of money in developing a mine. With his son and daughter, he came from Portland and bought a promising claim called the Excelsior. His first move was to try to combat the transportation problem. Construction on the road into the steep mountains was done by approximately 300 Chinese laborers. Parts of the dry-wall rockwork road are still visible today. When the road crew found the road still short of the mine as the winter snows began to fall, they built cabins to live in until they could continue working in the spring. The working season only averaged about six months.

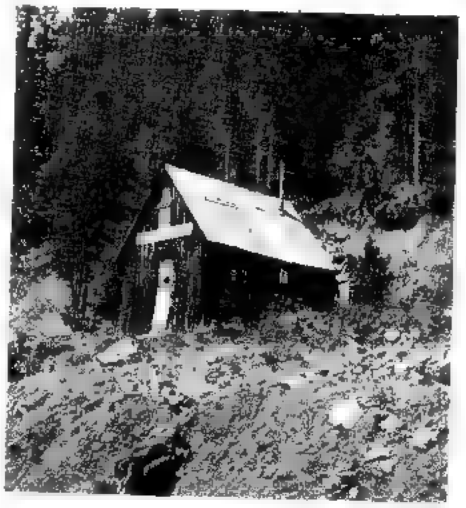
The following spring Joseph Knott left his crew to finish the road, and set out for San Francisco to buy mining equipment. Before the summer was gone he returned with a stamp mill, steam engine and boiler which had to be transported by ocean freighter to Portland, up the Willamette River to Eugene by riverboat, to the foothills by wagon, and finally dragged into the mountains on a sled pulled by oxen. By the time all this had taken place and the mill was finally set up, he had only a few days to operate before closing down for the winter.

The end-of-the-summer's run yielded $4,700 worth of ore, but despite the promising beginning, the mill ran only four years. Knott returned to Portland. The early miners began to realize that, unless the gold was very rich indeed, the ponderous stamp mill process wasted much good ore.

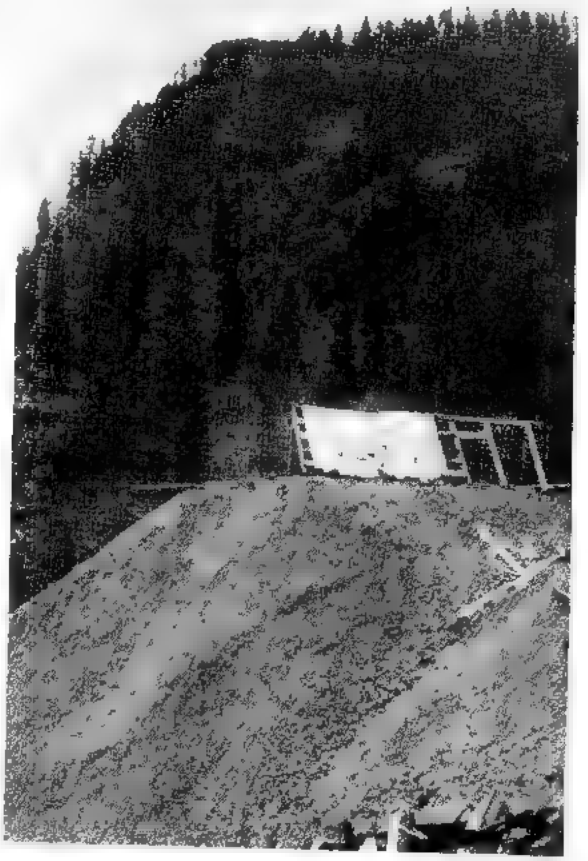
Many left the area believing there was no future for them there. The once bustling Bohemia City fell into ruin, populated only by packrats and snakes, and the roads and trails became overgrown with underbrush.

For about fifteen years the area lay silent. In 1890 interest in the district was aroused by the discovery of a new, rich vein of gold. Henry Pearson and Dr. W. W. Oglesby, who had prospected the area during the intervening years, staked out the Annie claim and purchased the old Knott mill which was later moved to the Annie site. The Annie yielded $26,000 in the first two years of her life.

ONE OF THE richest lodes was discovered by a thirsty man, James A. Musick, and the year was 1891. He was an experienced miner who had gained much knowledge from prospecting in Arizona, California and Oregon. Musick was looking for a likely location to stake claims for himself and some of his friends. Searching through some old diggings, it must have been fate which brought him to Bohemia City which had been "thoroughly" prospected by many before him.



A view of the Musick Mine dump



One of the buildings of the Vesuvius mining operation is shown above. Below are the remains of an ore cart powered by a steam engine. Caretaker Charlie Kohs stands behind the equipment.

Musick had hiked a long way that day. He was hot and thirsty when he reached the old city and made his way to the gurgling stream which runs from the mountain. Plunging his face into the cool mountain water, he found glittering gold shining up at him from the creek bed. Ghosts of former prospectors who were undoubtedly hovering over his shoulder must have cursed wildly, because what he discovered was the mother lode they had been looking for.

Musick staked two claims—the Los Angeles and the Defiance. His partners arrived in Cottage Grove from California the following spring and the Bohemia Mining and Milling Company was formed.

As with Knott, the first move was to build a trail to the mines. The trail they started began where the wagon road left off at Sharp's Creek, named after a hermit who lived there most of his life. It approached the mines from the west, winding through the overgrown foothills and up the Bohemia saddle. The original intention, of course, was to transport equipment to the mine site via this route,

(Continued on page 50)

Courtesy Author

Wild Goose Bill's ferry on the Columbia River. At right, an old woodcut of the colorful character whose real name was Samuel Wilbur Condon.

By VIRGINIA R. BECK

IT WAS bitterly cold on January 25, 1895, when "Wild Goose Bill" set out from Wilbur, Washington, to find and bring home his woman. Snow was three feet deep, and huge drifts blocked the roads, but the weather meant nothing at all to him. It was the girl, Millie Dunn, who occupied his thoughts, not the weather. Just twenty-one, she already had disposed of two husbands and had lived for a year and a half with Bill at his ferry on the Columbia River. It was during this time he had learned to love her, and although he was sixty years old, he wanted to marry her.

Millie, however, had other ideas. Already bored with the situation at the ferry, she had set her sights on another man, Jack Bratton, up at the Hollis-King horse ranch. Bratton and Barton Park, a fellow wrangler, shared a lonely cabin out in the scab-rock above the Columbia, and it was to this cabin and Jack Bratton that Millie went.

Wild Goose Bill plowed his way through the drifts on his way across the Coulee country. He meant to bring Millie back. Either that or he would kill them both.

It certainly never occurred to the ferryman that he might kill the wrong man, but that he did anticipate a tragic outcome for himself is apparent. Before leaving Wilbur he had made a new will and left it with his legal agent, and sometime during that desperate journey he thought of something else. He wrote it on a scrap of paper and put it in his pocket.

Bad news travels fast, and someone had been out to warn Millie that Bill was coming after her. Millie laughed it off, but Bratton decided the best location for him was someplace else. Young Park, since he wasn't involved, decided to stay around and see what happened.

It was a fatal decision, because when Bill arrived he didn't even bother to knock. He opened the door and asked Millie if she were coming home with him, and when she refused he started shooting. There was nothing for Park to do but shoot back, and when it was over, they were both dead and Millie had two bullet holes in her arm.

Later, when the bodies were brought into Wilbur, frozen stiff as boards and laid across two saw-horses, Bill's agent found the addition to his will. It stated simply: "If I am killed before returning home, I shall die with my boots on, and I want to be buried in the sand pit below the ferry."

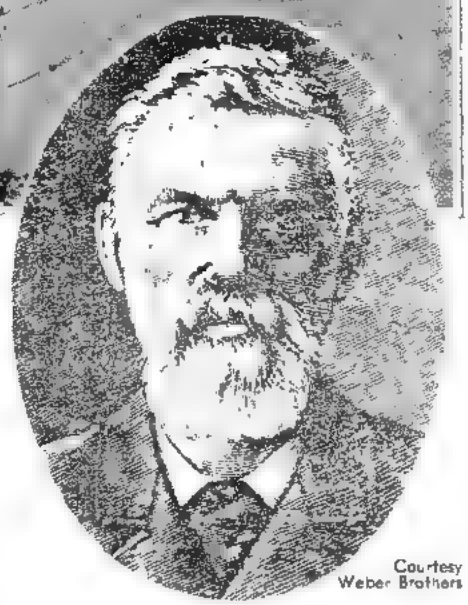
SAMUEL WILBUR CONDON, known by name if not personally by every woman, man and child in the Big Bend as Wild Goose Bill, was born in Orange, New Jersey, about 1835. Always of an adventurous nature, he was still very young when he followed the goldseekers to California, but after a few ups and downs in the mining camps he decided to try his luck farther north, in what was then Washington Territory.

The lonely trails of the Big Bend first knew him during 1850-60 as a packer out of Walla Walla supplying the Chinese and white mining camps of eastern Washington. It was on one of these trips, when he was just twenty years old, that he acquired his nickname.

One night while hunting for his supper, he spied a flock of wild geese. Charles Osborne, who knew Bill, said that an old Indian woman had found the eggs and hatched them under one of her hens, and when she heard the packer fire into them she descended on him, gesturing wildly and screaming in Chinook. Bill left in a hurry, but from that day on the "Wild Goose" name never left him. Osborne also said that after Bill's death, it came as a surprise to most people that he ever had had any other name.

Sometime during the early Seventies Bill decided that he might do better with a trading post nearer the mines, and since the Colville Indian Reservation had been established in 1872 and the Indians would need a place to trade, he decided to combine the two. He staked a claim and settled down where the town of Wilbur now stands, even though the land was not yet surveyed.

Disposing of his main pack train, Bill bought cattle, erected a two-story log house and store, and married an Indian girl by whom he had three sons. As time went by he acquired more cattle, and at one time his herds fanned out across the bunchgrass plains, ranging as far south as the Snake River.



Courtesy Weber Brothers

George Trefry, old-timer of the Coulee country, remembers Condon selling 1,100 head of cattle to a man named Ogden Nash for $12 a head with everything unbranded going in the herd free.

DUE TO A very uncomfortable winter, and the unpredictability of the Indians, General Howard decided to build a military post at Lake Chelan. It became the duty of Lieutenant Thomas W. Symons to construct a military road from Ritzville to the post. In Symons' reports we find the name of Wild Goose Bill in official print for the first time.

Symons reported that he found Bill at the headwaters of Wilson Creek; Friedlander, opposite the mouth of Whitestone Creek; and "Virginia Bill" Covington at the mouth of the Hawk Creek. All were married to Indian girls, and all had trading posts catering to Indians and Chinamen.

The following year Symons reported that he found a "very bad wagon road" leading from Condon's ranch, across the head of the Grand Coulee, and on to the Columbia River.

Interviewing the few old-timers who knew Wild Goose Bill, we have consistently found him pictured as a man who seldom missed an opportunity to capitalize on a situation. That he built this road with the help of Chinese placer miners (conscripted, the old-timers say) and built another trading post on the Columbia would seem to indicate that he expected the military road to go this way.

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WILD GOOSE BILL

Blessed with a methodical mind, his roads and ferries were always the closest distance between two points; but Wild Goose miscalculated when he figured the closest distance between himself and Millie Dunn was a bullet through the heart of a rival!

That it did not, however, doesn't seem to have bothered him much for his store stood beside an ancient Indian crossing (and where the crossings were, also were the Indian villages).

There was an Indian village on each side of the river, and how long they had been there is hard to guess. The Weber Brothers, who now own 7,000 acres on the Douglas County side, including the old Wild Goose Bill land, have found innumerable relics and artifacts, some of the oldest dating back 4,000 years.

Bill, at his trading post at the crossing of old Indian trails, was in a position to hear all the news, and he undoubtedly had early reports of the mineral potential up in the Salmon Creek and Palmer Lake country. Intelligent and fairly well educated, he knew that Spokane Falls and Sprague would be supply points, and he most certainly intended to make the most of it. But he would need a ferry.

It must have been a problem he worked out rather quickly because when Guy Waring and J. L. Loomis decided to build a trading post where the town of Loomis now stands, they crossed the Wild Goose Ferry. Waring later wrote: "In 1884 we freighted our supplies for the post from Spokane Falls. We crossed the Columbia on Wild Goose Bill's ferry which consisted of a small fleet of canoes. The goods and men rode in part of the canoes, the wagon boxes with wheels removed were lashed onto others and paddled across, and the stock was swum."

EARLY IN 1886 when President Cleveland opened up the Columbia Reservation to mining, prospectors flocked into the Okanogan like pigeons. Pack trains and freight wagons kept busy supplying the boom towns of Ruby and Salmon City (Conconully) and stages went daily to and from the mines.

Almost overnight the Wild Goose route became an important link between points east and the mines, and the ferry was improved.

E. J. Dorien, Omak pioneer related: "Our supplies were often brought in from Sprague. Our pack trains usually consisted of from fifty to seventy-five horses. We crossed the Wild Goose Ferry. It was built of five big logs, fastened together with log chains, grass and rawhide ropes, and was propelled by manpower. We had to throw our lariats around the ends of the ferry, and with the other end around our saddle horns, tote it upstream quite a distance where we loaded our freight and tied our horses on behind. Condon could usually land us at the desired spot on the opposite shore."

It was during this same year that Bill Condon opened up a road to the Okanogan River, established another store, and erected a crude bridge across the river for which he collected a toll.

Ben Ross, writing of it later said: "On a knoll near where the present Omak High School stands, the Indians had a burial ground. Mounds of stone had been placed over the graves. Condon needed stones for his bridge piers and none was handier than those marking the Indian graves, so he proceeded to move them, much to the displeasure of the Indians."

Because of the heavy traffic to and from the mines, Condon decided to build a cable ferry and add to his buildings on the Columbia. Besides the store the little settlement soon boasted a stage depot, a combined eating house and saloon with rooms above, a blacksmith shop, a warehouse, and a livery stable to accommodate forty to fifty head of horses.

It took three days for the stage to make the trip from Spokane Falls to Ruby, and this was the last overnight stop. Freighters and packers stopped here too, and although they ate, drank and made merry with the rest of the customers, they usually slept out under the stars.

The store did a thriving business, although still catering principally to Indians, among them Chief Moses and the Nez Percé Chief Joseph. Because of the distance to and from supply points, Condon seems to have felt free in setting his own prices. He often remarked that he marked the goods up fifty per cent, and watered the whisky down fifty per cent.

These were lush years for Wild Goose Bill, and he made a lot of money. Tough and hard from his years on the frontier, he feared no man, and the old-timers say that although outlaws, rustlers and saloon girls came to his place on the river, along with and following the miners, he paid them no heed. Far from a bank of any kind, he just stashed his money around the place until he had time to go to town.

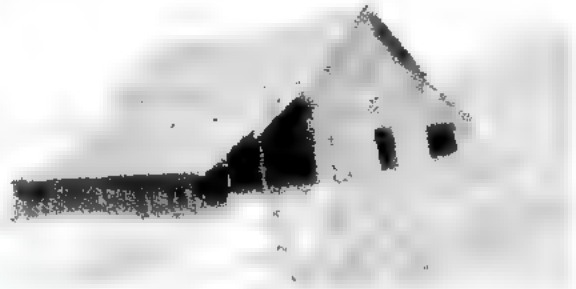
EARLY IN 1889 the Washington Central Railroad began to build through the Big Bend, and little towns sprang up. Bill's ranch on Wilson Creek was selected as a townsite, and Mrs. George Robertson, Wilbur pioneer, said, "When the town was platted, some of the settlers, especially the men, seriously considered naming it Goosetown, but were luckily outvoted."

The establishment of Wilbur, although it provided a supply point much nearer, didn't hurt Condon too much. The Wild Goose route was still the main wagon road to the Okanogan country, and the ferry more than paid for its upkeep. The store also continued to do a good business.

Condon was used to having his own way in practically everything, and he seems to have taken his prosperity for granted. But two things did go wrong, and insignificant though they may have appeared, they were the beginning of the end for Wild Goose Bill.

(Continued on page 54)

Bill erected the loghouse (left) in the 1870s on what is now the site of Wilbur, Washington. At right, the old livery barn at Bill's ferry on the Columbia. Pictures courtesy author.



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THE FIGHT ON

PLACER MINING had so nearly petered out in Montana by 1866 that idled but still hopeful gold miners began looking for other bonanzas. So it was that on February 16, "Captain" Ray Andrews struck out from Helena with a wagontrain of goods to make his fortune at the mouth of the Musselshell, some hundreds of snow-drifted miles down the Missouri River. There the metropolis of Kercheval City would rise on the riverbank, and wolfers and trappers would flock to trade, along with whole tribes of robe-rich Indians. And steamboats, thwarted by the fickle shoal waters of the river, would unload mountains of Montana freight.

Three years later, the only residue of the dream was a ramshackle post with eight buildings and fifty people, mostly transients. A larger permanent population, however, was planted in boot hill, for the local buffalo herds and the supply of white men's ponies and scalps proved irresistible to hostile bands of Santee Sioux, still homeless from the Minnesota uprising of 1862. "Colonel" George Clendennin operated a trading store which boasted more customers than goods, because of the difficult supply problem. The same was true of the Montana Hide and Fur Co. store in charge of "Major" James Brewer. Captain Andrews presided over his diminished dream as the sole "lawyer" and practicing "surgeon."

The isolated settlement in its setting of sagebrush and badlands, may have been poor in trade, but it was rich in Indian experiences. Its history had never been dull in this respect, but the spring of 1869 was particularly memorable.

On March 16 a passing war party struck a wood yard some forty-five miles below the mouth of the Musselshell operated by a Frenchman sometimes referred to as "Frenchy" Girard. Several of the woodhawks were killed, but the Frenchman, accompanied by young Henry McDonald, managed to escape to "Ft. Musselshell," as Kercheval City came to be called.

At the same time a party of hunters led by "Captain" Bert Whitson was also attacked near Black Butte and fled for safety to the same haven. Other wolfers and trappers coming from their season's work swelled the local population to some seventy rough and tough frontiersmen.

On March 21 a work party was out cutting timber up the river, while Andrews and Brewer shuttled back and forth to the stockade with wagonloads of newly-cut wood. As the noon hour approached, three women left the fort on foot to bring lunch to the work party. Two were Crow squaws belonging to local residents, while the other was a white woman, respected more for hardy courage than maidenly virtue and variously identified as "Jenny Mortimer, who formerly kept the Resolute Hall in Helena," or as Jenny Smith, the "wife" of Frank Smith.

Suddenly shrill war-whoops shattered the tranquillity of the scene as sixty painted Santees whipped their ponies to the attack. The feminine trio dropped their burdens in terror and fled screaming toward the settlement, spurred on by the thunder of hoofs and the crack of guns behind them. They had gone but a few paces when one of the squaws was tumbled to the ground by gunfire. The indomitable Jenny, heedless of danger, stopped to render aid, only to be felled herself by a bullet in the neck. Within seconds a triumphant savage was flourishing Jenny's bloody tresses in the air.

Major Brewer, who happened to be closest to the stockade, jumped from his wagon, and firing as he ran, retreated unscathed through a storm of arrows and bullets. Captain Andrews was farther out, with the raiders and women between him and safety. Leaving his team and wagon, he advanced cautiously, firing his rifle at intervals. After a half-dozen shots, he discovered that he had lost his capbox in the excitement, rendering his gun useless. Andrews dodged into some timber lining the river, but not before bullets shredded his hat and flying coattails. As he crept through the brush he held off his nearest pursuers by leveling his useless rifle at them. Later he remarked that "at one time my scalp seemed so loose on my cranium that I doubt if it would have withstood a moderate gust of wind."

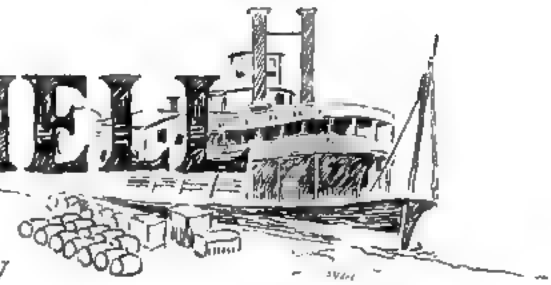
His pursuers ran low on ammunition but, recognizing that their quarry was in a similar predicament, they rushed him with uplifted war clubs. At that critical moment a sortie from the stockade led by Colonel Clendennin arrived to drive off the attackers, but with the retreating Indians went a herd of horses and stock belonging to the post.

When a survey of the battlefield revealed that the hapless Jenny was only "creased" and still alive, though shorn of her crowning glory, the men tenderly bore her to the stockade. Thanks to the loving care and amateur skills of Major Andrews she made a prompt and remarkable recovery, complete save for a naked and scarred head. Such treatment of the only white representative of the fair sex for hundreds of miles around, aroused the ire and vengeful instincts of every manly defender of the post. Especially resentful was Major Andrews, whose livestock had faded in the distance with the retreating war party.

For the next few weeks, small parties of Sioux continued to hover about, hoping to pounce on a straggling woodhawk

Illustrated by Al M. Napoletano

THE MUSSELSHELL



Nothing equaled in raw humor and raw savagery a collision between trappers and Sioux!

By JOHN S. GRAY

or stray pony. Though the vengeance-seeking frontiersmen stayed on the alert and eagerly sallied out in force at the first sign, so cautious and quick to retreat were the Indians that the defenders gradually grew careless in their dashes to overtake them and overconfident of their own prowess as fighters.

THE INEVITABLE occurred on the early morning of May 8, when George Davis and his Crow squaw ventured out to gather some sagebrush for fuel. An impudent party of only sixteen Santee braves suddenly appeared on foot and fired on them. The sound of the shots brought instant retaliation in the form of some fifty or sixty eager armed men from the stockade. Sighting the marauders making for the shelter of the undercut bank of the Musselshell, the white men dashed after them in a body. What seemed to them like the long-sought opportunity for revenge was actually the decoy trick the Sioux were so skilled in executing, for a coulee extending out from the river concealed an additional seventy-five expectant warriors.

As sometimes happened, a few nervous braves betrayed the ambush by firing prematurely. Jake Leader, Clendennin's Crow interpreter, who was running in the van of the charge, crumpled spectacularly when one of the premature shots struck him squarely between the eyes. His followers, not yet fully within the trap, abruptly acquired profound wisdom and dived for cover or jackrabbited to distant and safer regions. By the time they could reorganize and establish a perimeter at a safe half-mile from the concealed foe, another man named Greenwood received a severe chest and shoulder wound.

The ninety Indians now hidden in the brush-filled coulee proved extraordinarily hard to rout. Some hours were spent in long-range sharp-shooting, which wreaked havoc among the coup-sticks defiantly flourished by the Indians but accomplished little else. Some of the more daring whites, operating in pairs, bellied their way up under the shelter of sagebrush, and while one temptingly exposed his hat on a stick, the other fired at the flash of the Indian guns. Nevertheless, it began to look like a stalemate, which if allowed to persist until darkness would allow the redskins to slip away untouched.

Providence, in the form of rain, then took a hand in the contest on the side of the whites, whose arms used ammunition impervious to rain, while the Indians, stripped for action, were powerless to protect their vulnerable flintlocks and bowstrings. Sparked by George Grinnell, some of the men took advantage of the new development to approach closer and even launch an attack, but surprised at the number of savages, they discreetly dropped back to reconsider.

Mournful death songs began to drift from the coulee as the trapped Indians became convinced that without effective arms they would soon be at the mercy of the vengeful whites. Young Henry McDonald suggested that a few of the men sneak across the Musselshell to get in the rear of the enemy and flush them out into range of the others. He was promptly joined by Frank Smith, of the tress-less spouse, and Frenchy Girard, the refugee from an earlier Indian raid.

The Indians spotted them and unlimbered their rain-soaked weapons in a futile effort to prevent the crossing of the daring trio who were wading in water to their armpits. McDonald's buckskin pants became so stretched in the water that he kicked them off to fight the rest of the battle bare.

The white men positioned themselves opposite the open mouth of the coulee and were firing into it when, unfortunately, the main party from the stockade mistook their flesh-colored buckskins for Indian epidermis, and began shooting at the wrong target. Grinnell, Girard and McDonald had to beat a disgusted retreat back across the river.

Having cleared the script with their colleagues, another more successful attempt was made, in which McDonald was replaced by Jim Wells, another survivor of a disastrous Indian attack the preceding fall. Wells, Smith, and Girard crossed the stream farther up and maneuvered to the rear of the trapped Indians. When they delivered a rapid fire straight up the open mouth of the coulee, the desperate braves fled from concealment out into a withering cross-fire from the waiting whites. Many dashed for the river, only to bog down in mud and weeds. Not one would have escaped had it not been for the whites in the safe perimeter who fired indiscriminately at friend and foe alike. Within minutes the fight was over.

Already the Crow squaws of the post, having assembled near the field, were executing a war dance in the rain to celebrate the imminent defeat of their tribal enemies. McDonald wrote, "After the battle I passed by them on my way to the settlement to get some clothes for myself, and their attentions were rather embarrassing in my undressed condition."

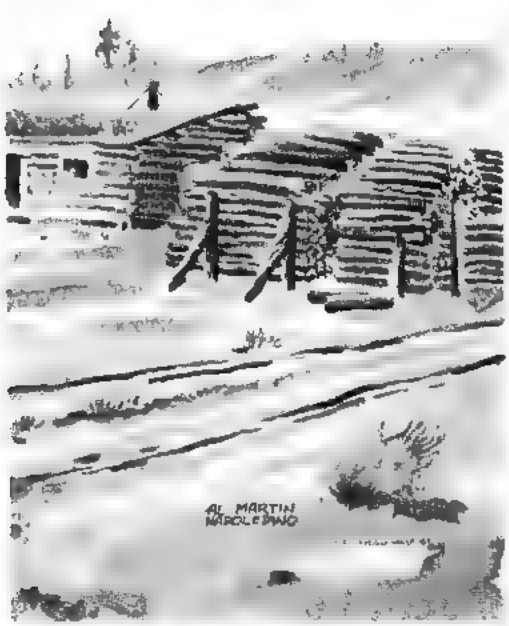
THIS IS the last touch of humor in this incident; all the rest is shocking and gruesome. It should be remembered, however, that gallantry on the field was a characteristic devoid of survival value in Indian country. The frontiersmen most active in this affair had all suffered. and suffered recently, at the hands of the red man. They were out to even the score. Their feelings and attitudes were not those of the detached observer a century later and a thousand miles distant.

The Indians flushed from the coulee were virtually unarmed, but they neither expected nor received mercy. Joe Mosser told of seeing the last Indian to emerge from cover, a half-breed boy, who ran toward the whites shouting, "Me good Injun!" But John Johnson, in true frontier fashion, hollered back, "If you are good, you are in damned bad company," and snapped a bullet through his head. In retaliation for the rape of Jenny's locks, most of the fallen were promptly scalped, some, it is said, while yet alive, just as the red man was prone to do.

A count on the battlefield revealed thirteen Indian corpses, and subsequent information gleaned from Indian survivors identified twenty more that were fatally wounded. Of the total of about ninety in the attacking party, only a handful escaped unscathed. The white casualties included Jake Leader, killed; Greenwood, severely wounded; and John Johnson, slightly wounded.

After the battle, jubilation in the stockade reigned without restraint. The high point of the celebration was provided by the bushy-bearded Johnson, who strode around in triumph flourishing a liver he

(Continued on page 50)



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Vinegarroon

(Continued from page 12)

"SENOR BEAN, my hombre, he's seek; I'm hungry. Could you, Judge, please, give me medicine for heem? And mebbe some food? I work for you, mañana." A stoop-shouldered Mexican woman stood in the doorway of the Jersey Lilly, her gnarled hand extended, a dingy shawl around her head. A wrinkled, chocolate-colored face bespoke more tragically than her words, the desperate hunger that gnawed at her insides.

Roy Bean wiped his hands on his soppy apron and walked from behind the bar. He plodded across the floor, beyond the poker tables, to a row of dust-caked shelves. He removed a bottle of patent medicine. From a lower shelf he gathered four cans of beans. He then strode to a barrel and scooped up a paper bagful of meal.

"Here you are, Raquel. I hope Tomás feels better soon. Come back if you need anything," he spoke in a tone foreign to his customary gruffness.

Stalking back behind the bar, he wrote down with tedious calculations some figures on the wall below a big picture of Lily Langtry.

That afternoon a beer salesman from San Antonio arrived. "Beer's on me!" the drummer announced, in keeping with a long-established custom. Roy was well aware of this custom. In fact, he promoted it at every opportunity, and he was prepared on short notice to summon his friends and the hangers-on of Langtry through devious grapevine communications.

Within ten minutes the front end of the Jersey Lilly was jammed with thirsty citizens partaking liberally of the beer man's hospitality.

For a friend to neglect to partake of this outside salesman's hospitality was considered by astute Roy a direct affront to him and a strain on the ties of friendship. If a man did not want beer, then it was his duty to Bean to accept the beer as proffered and dispose of it according to his own ingenuity and the dictates of his conscience. Ordinarily he maneuvered such customers to the far end of the bar, where they might pour the contents of their beer bottles into wide-mouthed cuspidors without notice from the genial salesman.

Along with encouraging beer salesmen to perpetuate this delightful custom of treating all present to free beer, Bean also had formulated a unique system of calculating the amount of the final bill. According to this plan, the bar could not lose. If the salesman came out short now and then, that was his problem. Barkeeper Bean had enough to do in protecting his own interests, without worrying unduly over the possible losses of San Antonio beer drummers.

As each beer bottle was emptied and returned to the bar, Roy and Oscar would slide it to one end. Here the empties accumulated, against the time when the treat was over and the salesman settled his account.

On this particular day a close observer could have seen the industrious proprietor of the Jersey Lilly reach down under the bar, when he caught the salesman looking the other way, and ease an empty out to join the growing pile at the end of the bar. The observer would have noticed that old Roy kept strict count of these stray empties as he smuggled them into the legitimate pile.

Finally he smiled benevolently to himself, reached over and rubbed out the figures he had written under the large Lily Langtry picture upon the departure of Raquel. He paid no further interest to the empties under the bar and turned his attention exclusively to the comfort and well being of his patrons.

"Well, how much I owe you, Judge?" the salesman asked.

"By gobs, they nicked you powerful heavy this time, Sam; but I guess you can stand it. Here's the empties. We'll count 'em."

Roy picked up the bottles, one by one, and returned them to the cases, counting aloud to check with the salesman.

"That one there," Sam questioned, "don't look fresh to me. It wouldn't be a stray, would it, Judge?"

In feigned surprise Roy picked up the questionable empty and held it between him and the light. "Does look dry," he admitted. "But it's just some of the boys' way of drinking. They don't get good beer often; and when they do, why, they not only drain the bottle dry, but they sop it out. Purty good vouch for yore beer, Sam."

IN SPITE of his queer sense of justice in some cases, Roy Bean was in genuine sympathy with the underdog, even if it cost him money to take the part of such a person.

He eventually became not only the legal advisor but physician, godfather and spiritual guardian of the poor Mexicans who lived in their humble, inoffensive way around Langtry.

Billy Dodd, Langtry merchant and Bean's closet friend and only confidant, asked him one day, after he had given his own hot lunch to a crippled tramp, why he was so liberal in helping such folks. "Especially," Dodd added, "considering the way you steal from some others!"

Roy's blue eyes twinkled. It delighted him for his friends to call him a thief and reprobate. "Well, I ain't been any goldanged angel myself; and I don't guess I'll ever change my ways much. So there might be a lot charged up against me on the Big Day. On these premises I figger what little good I can do in helpin' these pore devils—why, the Range Rider up there'll sorter give me credit for it when the time comes."

It was the first and only time Billy Dodd or anyone else ever heard Bean speak seriously of a hereafter or religion.

A minute later he reversed his sentiments by exploding, "Aw, hells catootie, Billy, I don't believe a goldam word of that. I must be gettin' old and skittish!"

Rain was coming down in a slow drizzle, with a norther even now showing its blue nose behind the rolling gray hills. Most of the ranchers were busy driving their sheep and goats to cover, and no strangers were in town. Business was dull at both ends of the Jersey Lilly.

Judge Bean liked such days, because they enabled him to take time out for poker. Now he sat at one of the two poker tables, playing with Dodd, a cowboy from El Capitan Ranch, and the ticket agent. "Oscar, trot over and see if we got any mail on the one o'clock train," Roy directed.

Five minutes later Oscar slushed in and handed the Law West of the Pecos a letter bearing a foreign stamp. Roy tore it open with avid contemplation. He had never seen a stamp like that; and the feminine handwriting itself bore a foreign touch.

He squinted at the contents with puzzled expression. He knit his wide fore-

(Continued on page 32)

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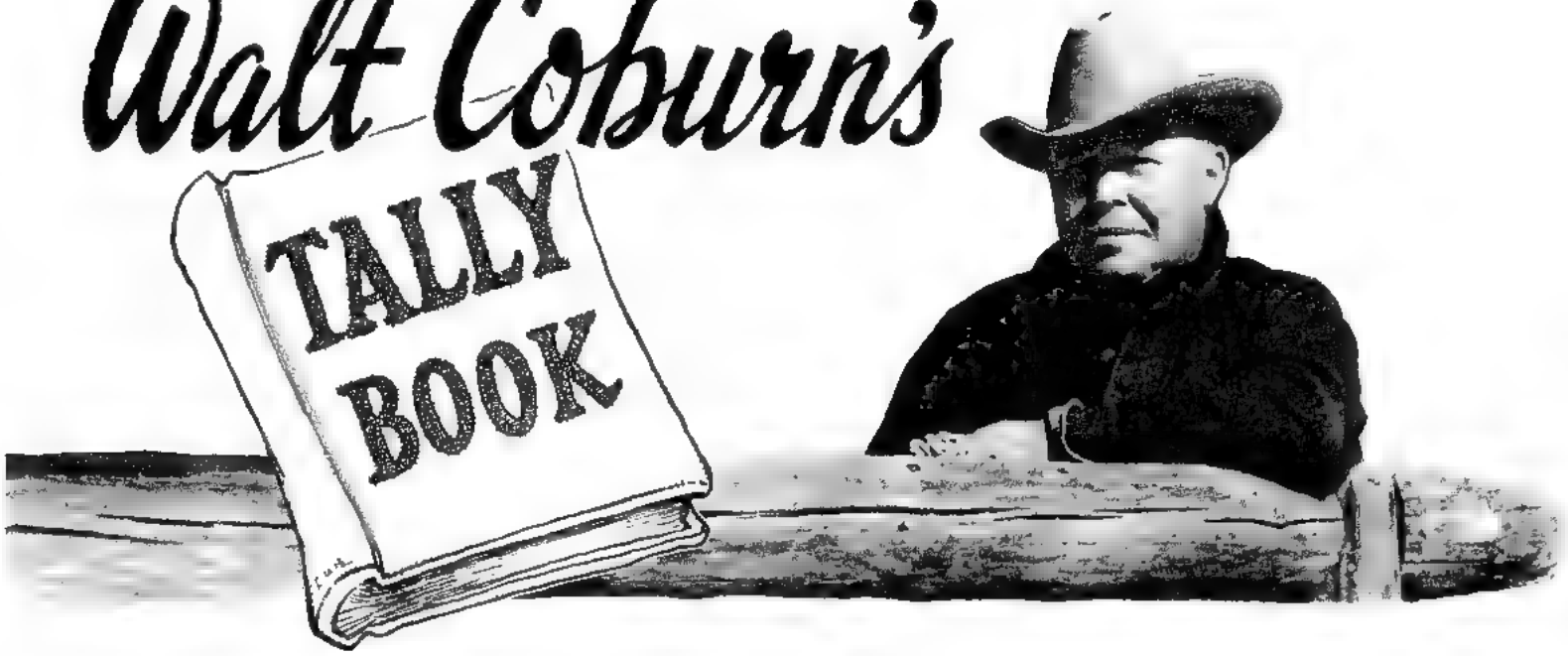
Walt Coburn's TALLY BOOK



ONE GRAY November morning up in Montana the greatest bronc rider I ever knew rode an outlaw horse called the Bogus Brown. I was a little button at the time and since then I have seen broncs rode around cow camps and rodeos, but that ride sticks out in my memory as the prettiest one I ever saw. Maybe it was because I was a kid that it made a deep impression on me, but there is many an old-timer that knew Charlie Brewster that claimed he was daddy of all the other bronc riders excepting maybe Charlie Parks who was just about on a par with Brewster.

The bronc rider I am writing about is the same Charlie Brewster that the late Charlie Russell, Cowboy Artist, wrote about in his book entitled *Trails Plowed Under*. Charlie rode the rough string for the Circle C outfit.

The Circle C wagon was camped on the north bank of the Missouri River holding a herd of cattle you would have to raise your gunsights to shoot across. We were going to cross the cattle and deliver them to old Spud Stevens of the Two Bar on the south side of the river. The sky was as gray as the wing of a honker goose headed south for the winter. It looked like snow and a skift of ice was trying to clot across the river.

Daylight was breaking and the cowhands were hovering around the campfire, reluctant to quit the blaze that scorched the buttons on their shirts while their backs froze. Saddled horses were standing around with humps on their backs like buffalo. The river looked colder than a gambler's heart. It was one of those gray mornings that promised a storm and made a cowboy wonder what had become of his summer's wages. The river was wide, with several yards of swimming water in the channel.

My oldest brother Bill was ramrodding the outfit and the coffee-coolers were standing around watching him out of the tail of their eyes to see when he'd toss his tin cup in the dishpan and say, "Let's go." Nobody was doing any joshing or hoorawing to amount to anything. I'm willing to bet that no funeral ever claimed a solemner gatherment of cowhands than was sipping coffee around that fire on the riverbank that morning.

When Bill finished his coffee and dropped the empty cup in the cook's dishpan, it sounded louder than a death knell, and about as cheerful. We started for our horses that were standing around, bridle reins hanging.

With the pick of a remuda of a couple of hundred head of broke horses, Charlie Brewster had his hull screwed down on the Bogus Brown. Easy enough to saddle, that big brown outlaw that had thrown every man that ever stepped up on him, was as deceiving as one of Big Casino's dance hall sirens wheedling the dollars out of a cowboy's levis. Nobody but wild Charlie Brewster would ever have caught out the Bogus Brown to ride on such a morning. But that was Charlie's way, and riding the rough string he didn't know the feel of a gentle horse between his legs.

When Bill saw Charlie saddle the Bogus Brown instead of a gentle river horse, he didn't say anything. He just slanted the bronc rider a hard look and plumb ignored him, and started for the herd that was being held back a hundred yards from the river.

For looks Charlie Brewster was about average build, quiet-mannered and never bragging or ornery, drunk or sober. But there was a reckless sort of twist to his grin and his eyes were always lit up like he was chuckling at some joke. His clothes were rough and noways fancy. He wore a hat with a lot lower crown than cowboys nowadays favor. His wife had sewn a buckskin seat in his California pants and he could have done with a shave and a haircut.

AS BILL started for the herd, everybody was kind of keeping an eye on Charlie Brewster. Charlie had an easy way with a bronc. No fuss or fighting about mounting. He did it so smooth, checking the Bogus Brown and stepping up in the middle of him, that it was done before even Bill, who was noways near as indifferent as he let on, saw it. Charlie rode a narrow slick-fork saddle with no sideboards to hold him in. Only his skill.

The Bogus Brown stood there sort of bunched. Then Charlie let out a holler and hung both hooks in the horse's shoulders. The bronc bawled like a cross between a bull and a panther, dropped his head and came apart. It looked like the horse was set on climbing up into the saddle with Charlie, who was sitting him straight backed, yet limber. His quirt was swinging by its loop from the hooked fingers of Charlie's right hand, his left hand barely taking up the slack of his horsehair hackamore rope.

The Bogus Brown opened up his bag of tricks and dealt them out fast and confusing. He was going and coming at the same time and it looked like he was snapping at his tail. He was bawling and squealing and changing his mind about turning somersaults and swapping ends faster than Bat Masterson could fan a gun. Charlie would let out a whoop now and then and swing his homemade rawhide quirt down both shoulders and flip it down across the flanks. He was aggravating that bronc like a herd of yellowjacket hornets.

Every cowpuncher in the outfit was watching with eyes boogered out like frogs, calling to Charlie to "Ride 'im," and "Stay a long time," and so on. There was a grin on Bill's face that was for all the world like the sun busting through a black cloud. Because under his hide, Bill was almighty prideful concerning the Circle C bronc peeler, and had more than once backed his opinion of Wild Charlie Brewster with real money.

Bill was the first to wake up to the fact that the big bronc, weaving and winding and pitching and bawling, was headed straight for the highest part of the riverbank, where the current had cut away the clay bank to make a twenty-five-foot drop to the deep water below.

The Bogus Brown was doing all that any bronc ever did to a rider, and there's them that watched that claim you couldn't have slid a cigarette paper between the buckskin seat of Charlie's pants and the saddle.

Bill and two-three other cowpunchers headed towards the Bogus Brown. Bill's horse was the fastest and he was the first man to reach the pitching bronc

(Continued on page 42)

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Vinegarroon

(Continued from page 30)

head and stroked his cropped beard. "Here, Billy, read it for me; this light over here's bad," he muttered.

Dodd glanced at the letter and smiled to himself. It was written in German, but Roy would not admit his inability to read even that foreign language.

"It's from a woman in Germany," Dodd explained.

Bean's eyes glittered with interest. "What does she say?" he urged.

"Says she has a son who was supposed to have been a soldier and stationed somewhere near Langtry. He was killed in action and she says she can get compensation from the government if she can prove his death."

Judge Roy cleared his throat and resumed the poker game.

Two days later he went down to Dodd's store. "Billy," he said casually, "I want you to make out an affadavit for me about that German lady's son. You write down what I tell you."

Bean then dictated a long and minutely detailed account of the exemplary life of the soldier, and in glowing terms exactly how the boy had died on the field of honor, standing off the onslaught of murderous savages while his comrades escaped to safety. He described the beautiful military funeral, in respect of which the whole town closed its doors, and repeated the words of the Army chaplain as he bequeathed the mortal remains to the Great General.

To this statement he affixed his signature and imprinted the seal of his office.

"Funny," remarked Dodd, "the fellow must have been a pretty close friend of yours, yet I never heard you speak of *him*."

"Hell!" snorted the Law West of the Pecos, "I never laid eyes on the goldam tramp. For all I know, he never was in a thousand miles of this place. But that don't make any differ'nce. The pore lady needs help, and I'd do that much for any woman. Besides, the government can spare the money."

Roy Bean's admiration and respect for women was not merely superficial; it was much deeper than that. In his earlier days he had had many affairs with beautiful women, but none had left any appreciable impression. They were merely a part of that beckoning adventure which lured him ever on to lands of danger and excitement.

But in San Antonio, after the Civil War, he met a girl who was more than just another delicious adventure. She was Virginia Chavez, a young Mexican woman of exotic beauty and charm and a descendant of one of the aristocratic Canary Island families who settled San Antonio late in the Seventeenth Century.

Until then, marriage was only for followers of the prosaic life and for old men who sat in rocking chairs. Now it was for him. Soon he married Miss Chavez, settled on the outskirts of San Antonio and started in business. Two sons and two daughters were born.

There was, however, that inevitable clash of temperament and viewpoint. She was refined, cultured and sensitive; he, crude, wild, adventurous. As the breach between Roy and his wife widened with the years, that taunting call of the untamed West echoed louder and louder in his imagination. His wild spirit strained under the subduing lease of civilization and superficial culture. Roy longed again for the open spaces, the friendship of the stars blinking down at him upon the untamed prairie, for the feel of the trigger, the smell of battlesmoke—for the time when again he would be a law unto himself, out there in the wasteland where every man carried his life and law and hopes swinging from his hips and in the cold glint of his eyes.

Finally, when news came of the building of the railroad into the uncharted land beyond the Pecos, he could restrain that spirit no longer. The breach between him and his wife had reached the breaking point; and in the Trans-Pecos he sensed asylum from domestic troubles as well as a new life after the manner of his longing.

"HOW MUCH?" inquired the meticulous Easterner. He tilted his brown derby farther to the left and inspected himself through the specked mirror of the back-bar.

"Four bits," Bartender Bean answered sourly.

The customer flicked a dust smudge from his coat sleeve, then extracted a five-dollar gold piece from his hip pocket wallet and clanged it down on the counter.

Bean tossed the piece into the handmade cash drawer. "What'll it be, Herb?" he asked a customer at the other end of the bar.

"Say, fellow, how about my change?" the Easterner demanded.

"Change?" Bean answered innocently. "What change? Don't you know this here establishment never gives change? What'd you say yore's was, Herb?"

The tenderfoot reddened. His jaws puffed in much the manner of an aggravated horned toad. "Look here, you give me my change, you-thieving son-of—!"

"I arrest you, stranger, for usin' abusive language and disturbin' the peace of this city. I'm the Law West of the Pecos and consider court now in session. I fine you four dollars and four bits and get the hell outer here afore I lose my temper." The customer got.

With the coming of the railroad and daily train stops directly in front of the picturesque Jersey Lilly, the emporium did a thriving business on cases of this kind. If Bean did not like the looks of a passenger, temporarily quenching his thirst at the bar, no change was forthcoming regardless of the size of the bill or gold piece proffered. Whether such a customer laid down fifty cents or twenty dollars, it was the same.

In Judge Bean's view, the money was taken by due course of law; and whether or not the victim agreed with the findings of this queer law, there was no court of appeal. The Law West of the Pecos was the court of first and last resort, with Judge Colt always sitting in to concur in Judge Bean's rulings.

A favorite trick of Roy's was to delay taking a train passenger's money until the whistle blew and the train started to move away. When the customer would yell frantically for his change, the judge would drop the money and pretend not to find it. Finally, the exasperated customer would be forced to dive toward the departing train without his change.

One customer failed to carry out his part of the usual procedure. When Bean failed to hand over the amount due out of a twenty, the customer stood in the door of the Jersey Lilly, calmly watched the train depart, then came back to the bar and faced the proprietor.

"Now, by God, you give me that change or make room for me to live in this dump till I've boarded out the money. You can suit yourself. I don't have any place to go, anyway!"

(Continued on page 40)

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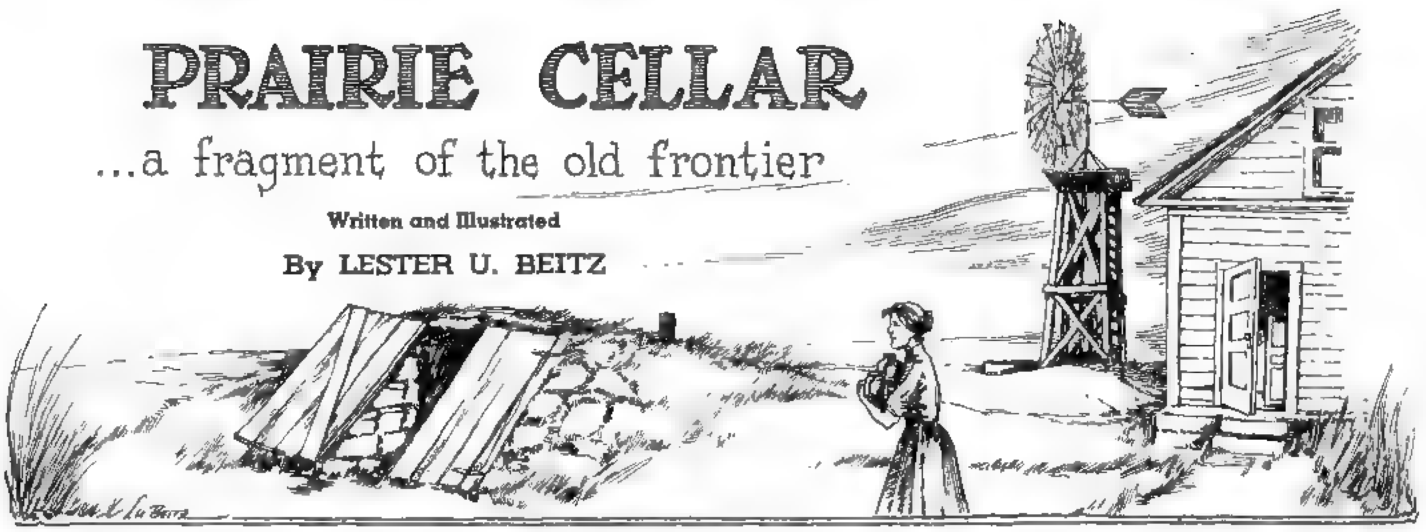
PRAIRIE CELLAR

...a fragment of the old frontier

Written and Illustrated

By LESTER U. BEITZ



DURING the past couple of years, I've spent a good bit of time roaming around abandoned homesteads (or rather, what remains of them), throughout several counties in Kansas and Nebraska. It's really distressing to see so many monuments to a remarkable era become derelicts—completely forsaken to the prairie winds. The economics of our society has, during the past decade or so, caused many descendents of the original prairie homesteaders to desert their heritage in quest of a less precarious livelihood.

It was this setting which afforded me an opportunity to examine a fast-disappearing fragment of Americana—the soddy's cellar. One has merely to recognize the prevalence and severity of a prairie storm or tornado to understand the absolute necessity for such a structure on the desolate plains of some ninety-odd years ago. On a recent field trip, I cast somewhat more than a casual glance at these old shelters and found them particularly interesting from the standpoint of construction and character.

First of all, I think it appropriate to dispel the general premise that prairie country is chiefly coarse earth covered with buffalo grass and certain rugged species of desert vegetation. There's plenty of stone on the prairie—not boulders or massive rock formations, but fieldstone—ledges of limestone and sandstone which were used extensively by the soddies for house foundations and cellars.

I have seen many midwestern farm homes built entirely of ledge limestone blocks, although these structures were constructed some time after the initial sodbusting years, I'll admit. However, stone of somewhat man-carrying size was available in quantity and figured prominently in the building of cellars.

Usually these dugouts were small—six or eight feet in width and ten or twelve feet in length. They were frequently scooped out of a knoll or rise of ground within a few rods of the main house—never more than a half-dozen paces, because the essential purpose of the cave was to provide emergency shelter. In addition to its survival function, the prairie cellar was Mrs. Soddy's only storeroom for her preserved foods, the big vinegar jug, a kerosene drum and such other substances as were indispensable to the farm wife.

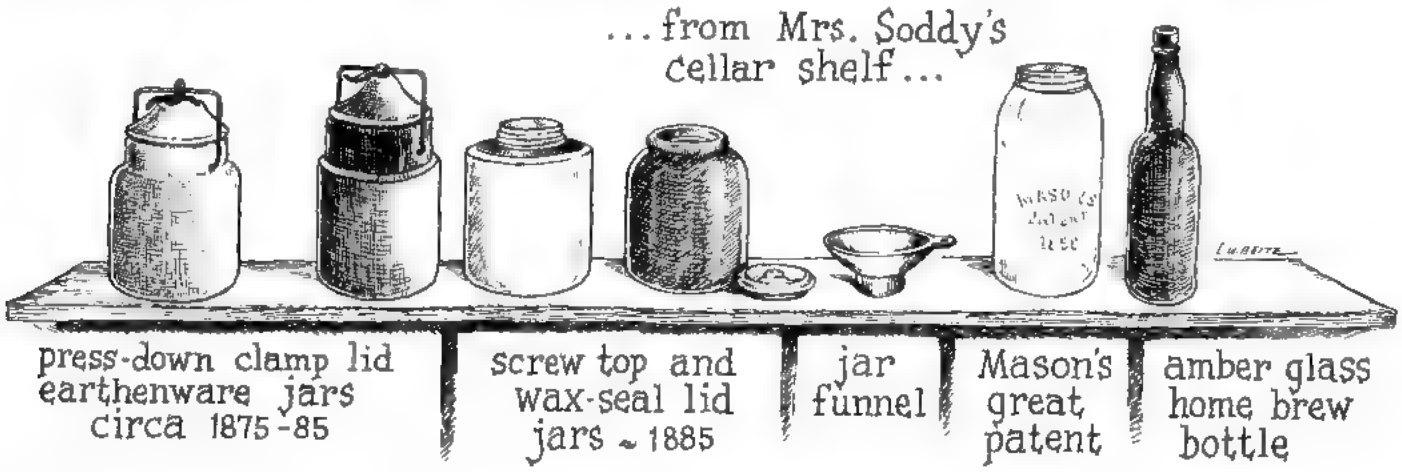
A typical shelter of this type would accommodate six or eight persons; however, the cellar was not meant for prolonged shelter, hence the absence of furnishings other than a coal-oil lamp or barn lantern, a few boards of shelving, perhaps an old utility table, rarely a chair or bench. Since my principal avocation is the collecting of frontier relics, the various types of jugs, jars, bottles, crocks and pots that I've recovered from these cellars have contributed to a fairly complete collection of the containers and canning paraphernalia used on the prairie frontier. Some of the lamp bases and glass fonts I've found amid these old earthenware relics are the most primitive imaginable since the soddy usually relegated his oldest, poorest lighting device to the cavern shelter.

SINCE these cellars were dug into a mound or beneath the level of the surrounding terrain, the interiors were cool—usually damp and musty. This provides an ideal environment for the various species of lizard that inhabit prairie country and I've yet to explore an abandoned cellar without making a sudden acquaintance with a couple of these slick-bellied creatures. I never will get used to having one of those scamps slither across the back of my hand as I reach for a fine old jar or pot. Of course, they're harmless but I instinctively jump and, on occasion, have come close to breaking a wonderful old canning pot that had somehow managed to survive threescore years before I chanced upon it.

I don't suppose a prairie cellar would be complete without a few amberglass bottles and the inevitable ten-gallon crock—pretty sound evidence that the local manufacture of brew was a periodic activity on the sodbusters' agenda. Some of these bottles are as primitive as their surroundings—bubbly, misshapen, hand-moulded bottles with applied neck—remarkable examples of the glassblower's craft. I've occasionally come across those distinctive water bottles with the clamp-on porcelain stopper fastened to the neck. And now and then a "Dr. J. Hostetter's Stomach Bitters" bottle shows up. It is these wonderful and fascinating objects of glass and pottery that lend a singular distinction to the soddy cellar.

After exploring and studying several of these homesteader cellars, I find little significant difference between them. They're all quite small. The fieldstone walls are yet sturdy but the overhead timbers are solemnly sagging. In a few years, prairie dugouts will have gone the way of the sod house and the wood-framed prairie windmill—into that limbo

(Continued on page 54)


...from Mrs. Soddy's cellar shelf...
press-down clamp lid earthenware jars circa 1875-85
screw top and wax-seal lid jars ~ 1885
jar funnel
Mason's great patent
amber glass home brew bottle

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Wild Old Days!

Pioneers Museum of Colorado Springs

Tracks of the Manitou and Pikes Peak Cog Railway (left) wind by the desolate spot where Mr. and Mrs. William Skinner (above) froze to death in August, 1911. The dark spot on the rocks marks the site where the bodies were found.

DEATH ON PIKES PEAK

By W. S. "Bill" Crosby
As told to Hank Givens

A WOMAN'S obsession to climb Pikes Peak resulted in the deaths, August 21, 1911, of Mr. and Mrs. William A. Skinner of Dallas, Texas. They froze to death on that summer day, recording a tragedy unique in the history of the big mountain.

Hot and clear, the weather was everything that Sallie Skinner could ask to help her accomplish the 14,110-foot climb, a feat she'd vowed doing if she did nothing else.

People walking up and down the Peak that afternoon couldn't help noticing the couple. Mrs. Skinner was leading an attack on Pikes Peak like Teddy Roosevelt going up San Juan Hill. Her husband plodded doggedly behind. They watched her pause, shake a menacing finger at the mountain, and shout, "I came all the way to Colorado to climb you and that's just what I'm going to do!"

She started up the hillside again, her wide-brimmed straw hat flapping with each step, her thin, blue cotton skirt fluttering around her ankles as she climbed. In one hand she carried a small handbag, and over her arm was a loosely crocheted shawl.

Bill Skinner came laboriously behind her, a straw hat on his head, a black alpaca coat over one arm. During one of his wife's infrequent stops to rest, he took off the hat and wiped sweat from his face on his thin, calico shirt sleeve. He slung the coat, a type popular in warm climates, over his other arm, and fanned himself with the hat. Passers-by saw him smile patiently at his wife's shouting at Pikes Peak.

The sun reflected heat from the crushed granite hillside; when a breeze came along it was hot, dry and stifling. Once in awhile Skinner paused to look up at the bare, craggy dome towering above him. Like so many others have, he was probably thinking that it didn't look too far to the top; they'd be there in no time, and down again in time for a good dinner in Manitou.

On the contrary, in a matter of hours, Bill and Sallie Skinner, both fifty, were lying dead, frozen beneath a foot of new-fallen snow, almost two miles below the summit.

THE SKINNERS were members of the International Typographical Union, Mrs. Skinner employed by the *Dallas News*, while her husband worked in a printing establishment in that town. The week before they had been guests for dinner at the Union Printers Home in Colorado Springs. As nearly as can be determined, the couple had come to Colorado Springs about two weeks before, expecting to remain there until September 1.

They left a room they had rented about 7 a.m. on August 21, without saying where they were going. Employees along the Manitou and Pikes Peak Cog Railway reported that Skinner was apparently greatly affected by the effort of walking up the mountain. On several occasions, they said, he told his wife he didn't believe he could get to the summit. Mrs. Skinner was, however, eager to push ahead.

Halfway up the Peak, at Mountain View, the couple stopped for a visit with Tom Wilson, editor of the *Pikes Peak News*. He reported that they both seemed exhausted. He said he told them there was a bad storm coming and invited them to spend the night with him. Skinner urged his wife to postpone the arduous climb, at least until the next day, but she insisted on continuing. Reluctantly he agreed to accompany her.

Skinner was reported to be almost in a state of collapse near Windy Point, a little more than two miles below the summit, with his wife walking several yards ahead of him. This was about 4 o'clock in the afternoon, the last time that the couple was seen alive. A little later, a raging storm drenched the foot hills with rain, and snow turned the miles of mountainous terrain into a wilderness of white.

An engineer on the cog train, H. C. Gosling, who was my brother-in-law, made two trips up the Peak the following day. After the second trip he reported that he had seen something like dress material blowing in the breeze about two miles below the summit. C. W. Sells, manager of the cog road, sent out a special train, which reached the spot where the bodies lay, a little before 6 p.m.

The local coroner satisfied himself that the remains had not been molested and declared there would be no inquest. He found Skinner lying on his back, one hand touching the body of his wife, who

ROHIBITED

lay face down, her hands crossed before her face. The ten-degree temperature had frozen them both. Found near the bodies was Sallie Skinner's handbag, which contained a handkerchief and feminine trinkets. A $10 bill found in Bill Skinner's pocket was water-soaked and frozen; with it was about a dollar in change.

There were also two accident insurance policies for $2,500 each, one in the name of Sallie E. Skinner, the other in her husband's name. These were dated August 9, 1911, and marked "Good for 90 days." The Standard Accident Insurance Company of Detroit had issued the policies and stated among its conditional clauses that premiums would not be paid where death was due to overexertion.

A letter from J. T. Choice, dated August 17, and mailed from Dallas, was found among the couple's effects. The writer had quipped, "I hope you are having the time of your life in Colorado, and that you will not freeze to death on Pikes Peak." He had added that he was sending an overcoat in accordance with Skinner's request.

The visitors had everything against them for a successful ascent. They had not yet had time to acclimatize themselves to the high altitude of the Peak. They were no longer young and not used to mountain climbing. Their thin, summer clothing was comfortable to start off in, but had they been more knowledgeable about the Rockies, they'd have dressed in more rugged clothes and taken additional wraps along in event of poor weather.

Warm weather at lower elevations can easily be followed by severe blizzards even in mid-summer. Those who climb the Peak, dressed only in light summer apparel, subject themselves to sudden cold. Combine this with exposure and hardship incident to the ascent, and you have a dangerous situation.

Hundreds of people walk up and down the Peak every summer, and this is the only tragedy of its kind that ever happened on the mountain.

A NAVAJO ANTELOPE HUNT

By Editha L. Watson

A NAVAJO antelope drive of a century ago must have been an exciting event. After the long, slow movement of the animals toward the trap prepared for them, watched and followed from afar by concealed Indians, came the sudden rush as they were chased into the pen, flanked by shouting men waving hides and blankets. Then the milling antelopes, looking in vain for a way out of the trap, their hoofs raising clouds of dust that could be seen for miles in the quiet air around them, fell dead from arrows propelled by powerful bows. Thus culminated weeks of careful preparation, overseen by medicine men who knew the proper prayers and offerings to insure a successful hunt.

Aged Navajos still living on the reservation can relate what their fathers told them of the drives that took place more than a hundred years ago. Antelopes then ranged all over the country; now, a few herds protected by game laws can be found. But antelope traps or "corrals" still stand, not only on the reservation but far beyond its present borders in every direction.

According to the old men, capturing antelopes was a matter combining the religious with the practical. Medicine men directed the making of the traps as well as the drives that followed. All must be done according to rule to prevent supernatural reprisals.

The traps were laid out according to the terrain. When possible—for instance, in the country north of the present reservation—they were located along natural deer trails. Sometimes several traps were placed close together, and in one area nine such corrals have been located. In places the animals were driven into a narrowing canyon where they could be penned at its head; but on fairly level ground the traps were built up, bordered with piñon and juniper boughs, rocks, and living trees to a height of ten or twelve feet, and were given wings forming a wide chute that led to the corral.

The catch pen, corral, or trap was a roundish structure, often as much as 200 feet in diameter, whose shape was said to resemble an antelope's eye. The wings, which frequently extended for more than a mile, were usually shaped according to tradition: one resembling a curved bow, the other the bow-string (see photo).

Often there were two more wings, pointing to different points of the compass from the main ones which, according to informants, were used if the drive came from a different direction. Piles of brush were sometimes placed so as to extend the wings another mile or so. Where possible, the corral itself was located out of sight behind a rise of ground.

Men were stationed on high places such as nearby ridges, or in tall trees, to direct the drivers as they turned the antelopes toward the trap.

CERTAIN taboos had to be observed. A woman must never enter an antelope trap, doubtless because in her function as a giver of life she should not go into a place of death. However, it is said that women joined the men in closing the mouth of the pen after the antelopes were captured. It was considered dangerous to live near a trap. It is told of a man who moved into the vicinity of an antelope corral with his sheep, that within the year his animals sickened, and the medicine men told him it was because of his proximity to the trap. He moved away that fall.

The wood of a trap must not be removed or used for firewood, which no doubt accounts for the preservation of so many of these structures, although non-Indians who have subsequently come into the vicinity have made free use of the wood.

An antelope drive required from twenty to fifty participants to make it successful, and considering the size of the traps, it is easy to see why. Men were stationed along the outside edges of the wings, at the entrance to the corral, and wherever they could aim their arrows into the trap. At the ends of the wings men lay hidden in the tall grass, and, if the animals appeared to waver, sprang up and tossed blankets or hides to frighten them into running ahead. In one location men had dug foxholes along the edge of a little ridge that formed a wing of the trap, from which they could leap up if the antelopes tried to climb the steep slope to safety.

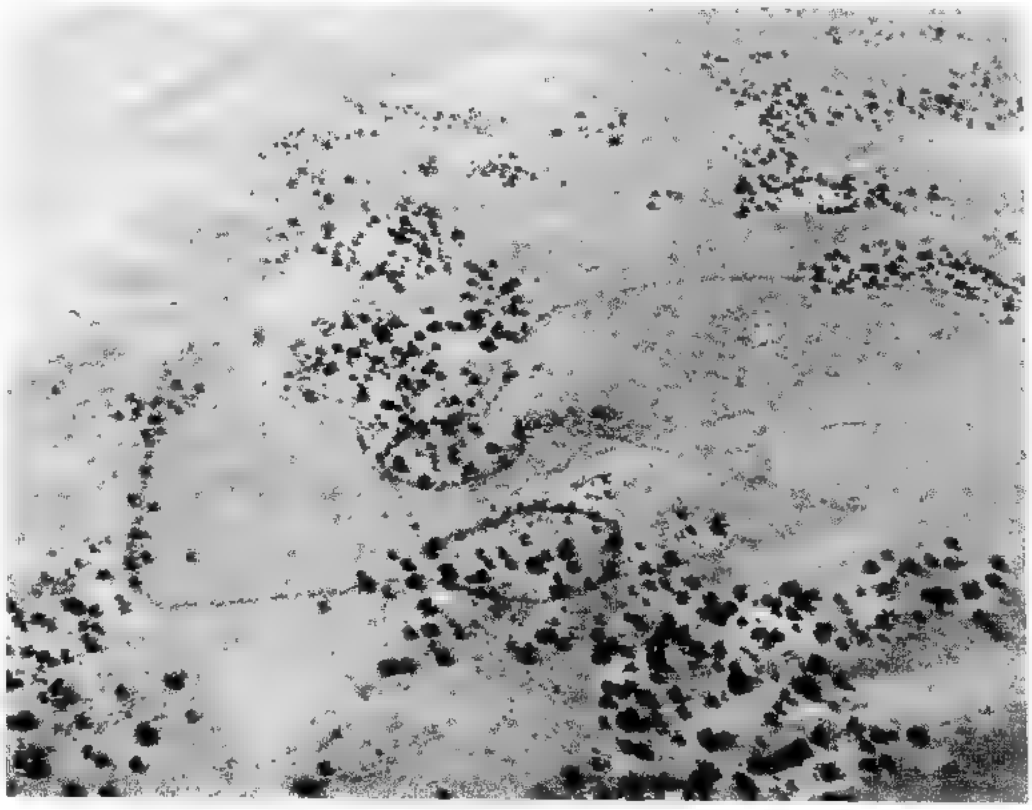
Sometimes a medicine man, dressed in antelope head and hide, stood at the far end of the trap, making antelope sounds and motions to guide the animals toward him.

One account of the drive itself relates that in the earliest days a semi-circle of people on foot headed toward the corral from a long distance away, enclosing the herd of antelopes that had been previously sighted. In later years a couple of men on horseback rounded up the animals and headed them toward the trap. A smoky fire signal told the people

(Continued on page 52)

Two corrals are seen in the center of the picture. The bent wing of the lower corral is plain. The straight wing passes near the head of the second trap.

Navajo Land Claim Photo



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Miss Cozie of YOSEMITE

Gertrude Hutchins Mills, beloved Miss Cozie, in the manzanita chair her father made

To be first on the scene
is a wonderful and joyous thing—
To be last on the scene
is a sadness hard to describe—

By HARRIETT FARNSWORTH

National Park Service Photos

WHEN I finally cornered Gertrude Mills, on the sun-shadowed trail near Government Center, I felt as if I might be talking to Virginia Dare, first white child born on Roanoke Island; for Gertrude Mills, familiarly known to her intimate friends as Miss Cozie, and her sister, Florence, who met a tragic death on a mountain trail in 1881, were the first little girls of Anglo parentage born in Yosemite Valley, California.

Although nearing seventy-eight, Miss Cozie was still slight and straight as the sugar pines growing in her beloved valley. She paused, smiling, blue eyes clear and observant, as she told me of her life in Yosemite.

Her father, James Mason Hutchins, a pioneering Englishman and famed author, crossed the plains in 1849 and settled in Yosemite in 1864 on a 160-acre land grant of meadowland and a fringe of forest that ended up near Government Center. Miss Cozie's mother came from the hardy Plymouth Rock settlers of Massachusetts.

As we strolled along, Miss Cozie said she was a Quaker, a Swarthmore and University of California student. She was born in the old Sentinel Hotel (later called the Upper Hotel) in a lean-to back of the building, known as the Big Tree Room because of the giant Sequoia that grew in the center, its mighty branches reaching to the sky above the roof.

Nearing the spot, Miss Cozie pointed to all that was left of the famed old hotel—the tree itself, still carrying a ring of green paint where the hole in the roof had hugged it snugly, and the large granite hearthstone in what was once the Hutchins' living room.

"This," she remarked wistfully, "is all that's left to mark the spot. What a shame the old Upper Hotel was ever torn down. Every plank and beam in it was whip-sawed. We protested, as did Professor Bolton of Berkeley, but it did no good."

We sat on a big, flat granite boulder to rest, the September sun warm on our backs, while Miss Cozie relived some of the colorful and exciting days of her girlhood in the Valley.

"My father brought the first visitors here and that opened the door. Guests and visitors were always welcome at our table and fireside for as long as they wished to stay. Many came. Some of them were well known then, others later became famous: Garfield, Ralph Waldo Emerson, Edith Ford—who entertained us delightfully on her guitar—Sir William Carruthers, then head of the London Museum, who spent much time here collecting specimens to take back with him—John Muir, gathering material for his books. He was married to a beautiful Polish girl. They were wonderful people and wonderful days.

"My childhood was as wild and carefree as that of my little Indian playmates, the Yo-ha-mities (Yosemities). They were a mixture of other tribes who at one time were bloodthirsty and savage. Who could blame them? The white men crossing this Valley before my father came, had badly mistreated them. Big Jim Savage almost cleaned them out. These white men should have been jailed for the terrible things they did to the Indians. But they were not.

"However, Father understood the situation. He was kind and patient and, from the first, the Indians accepted him."

She pointed to a few of their conical-shaped dwellings at the fringe of the forest which were built of split saplings called "umu-tca."

"The Yosemities spoke a Miwok dialect and their last chief was old Tenieya. There were also some Diggers in the Valley, who showed a strong Spanish blood-strain and influence.

"Of course, I talk a lot about the Indians," Miss Cozie admitted. "They were wonderful people, a beautiful part of my life here in this Valley. For instance, there was one little Indian girl who was especially fond of me. She told everybody she was my sister. When she grew older she got me to write letters for her. When I'd ask how I was to sign her name, she'd say, 'Why, Miss Cozie, of course!' So, because of this, I guess, a lot of folks still think I'm an Indian.

"AS LITTLE GIRLS, my sister Florence and I, wearing blue-checked gingham aprons, would coax Grandmother to bake us cornbread." Miss Cozie chuckled. "No, we didn't eat it. We didn't even like cornbread. But the little Indians loved it! So we swapped it to them for nu-patty—a delicious little cake made from finely ground acorns, which Florence and I ate with relish.

"Speaking of the Indians," she continued, "I forgot to mention old Indian Tom, as he was known around the Val-

A lovely morning scene in Miss Cozie's beautiful Yosemite Valley

ley. He had come in over Bloody Canyon, and across the Mono Desert, to marry a Yosemite squaw. He married her but he never left. He met Father and went to work for him. Never after would Tom do a lick of work for anybody else. He worked up at the sawmill, and stayed on here for the rest of his life. Tom was a good, thoughtful Indian. When the luscious wild strawberries came in, he made it a point to keep our table well supplied—as he did with other wild fruits in season

"In time, Tom became Father's shadow. Together they collected seeds and specimens of trees and plants that today are flourishing in Kew Gardens in England. Tom also helped Father build the first trails, roads, bridges and dwellings in this valley. Later, to make them safer, Father had to go to our Legislature to get a $10,000 grant to do it.

"I still love the Indians, the outdoors, but horses were my favorite pastime. I grew up with them. We didn't get far in those days without horses. I could manage horses when others couldn't. We kept them pastured down there in the meadow.

"The trail guides kept theirs there, too, to have them handy when needed. Some of the guides were cruel to their mounts. When they came to catch them, they didn't always succeed. Then they'd beg me to get their horses for them. I always refused. If I had done so, I would have felt I was betraying my friends.

"I guess I was considered more or less an expert in horse handling. Anyway, old Joe Mulligan, the stagecoach driver thought so. Whenever I traveled in or out of the Valley, old Joe always let me sit up on the seat beside him. Often he let me drive that four-horse team over some very dangerous roads.

"On this occasion, we were driving back from Big Oak Flat. That road certainly couldn't be called safe. Anyway, just as we neared a dangerous curve, Joe found something needing his attention, and handed over the lines to me. A nervous old woman looked out and saw me. She nearly went wild. She screamed at the top of her voice, calling frantically, 'Look! Oh, my goodness! There's a *little girl* driving this coach! Take the lines, driver!' and fainted dead away. Poor old thing. She didn't know I could handle those horses as well as Joe could—but he did," Miss Cozie laughed.

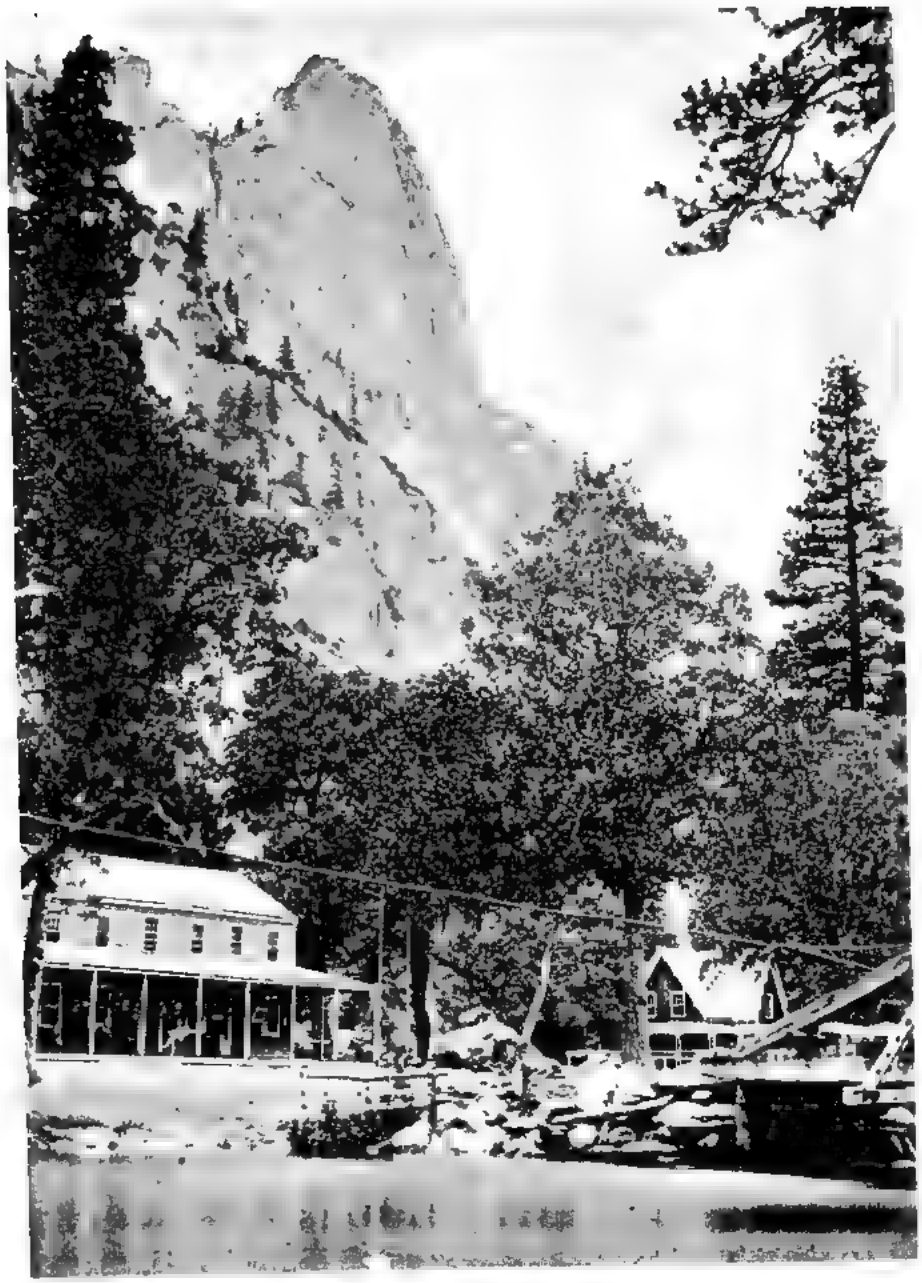
"There is another stagecoach incident I shall never forget. It seems funny now but it was very embarrassing for a young girl. It had to do with skunks. When we arrived in Yosemite, there were no bears or deer, but plenty of those pesky little skunks. They got into everything and became a great nuisance, but who dared make a skunk mad?

"We had left the Upper Hotel and were living over there in the Hutchins' cottage, my room a lean-to at the back of the building. One day Father came in, gun in hand, and warned, 'Now don't be afraid, Cozie. There's a skunk in the cupboard, again. *This time* I'm going to shoot it.' Well, he did, and with the usual results. That skunk perfumed the house and everything in it. That was bad enough. But Father had forgotten I had to take the stage the next day for Big Oak Flat.

"When I got on, passengers looked around sniffing, obviously puzzled. They didn't know who to blame, for others got on with me. I noticed that something was also worrying Joe, the driver. He looked down, sniffing, and yelled, 'Egad, folks! I musta run over a skunk, somewhere!' Of course, I felt terribly guilty but I couldn't help laughing to myself. I knew the moment I got myself and my perfumed baggage off the coach, the skunk perfume would disappear—and I'd never live that down."

MISS COZIE brushed back a wisp of gray hair, then folded her fragile hands in her lap. "When I was only seventeen, and my girl friend, Cora, eighteen, we took a notion to go on a pack-out trip. We had to have an extra horse to carry necessities, so we bought one, slightly spavined, from Lucky Baldwin for $25.00. When all was ready, we got on our mounts and, leading the packhorse, headed for back-country: Grass Meadow, Johnsville and Bridgeport. Along the way, to pass the time, Cora and I sang at the tops of our voices. At night we picketed the horses in a nearby meadow, and we bedded down in the sagebrush.

"Oh, no!" she assured me, "we were not afraid of snakes or the so-called 'wild Indians.' We had a great time! Along the way we happened to meet some of Father's old mining friends. They were very hospitable and entertaining—even invited us to sleep in their cabins. Young



girls didn't do such things, so Cora and I found good beds down in the haystacks.

"One time Cora and I spent most of one winter up around Lake Tahoe. And when Mr. Mills and I married, we took our honeymoon on horseback. Only this summer, I went up to Tuolumme Meadows, alone, and camped out from June until a week ago (it was September). I had a great time!

"Naturally, when automobiles came in, I had to have one of my own. So I got one and drove it everywhere, by myself, until recently. Then I decided my driving wasn't too safe—for the other fellow—and I got rid of it."

We got up and walked across the meadow, toward the dark forest.

"I've walked up and down, over and across every trail in these mountains and this valley, time and time again," Miss Cozie said. Pointing ahead at Half Dome, a sheer granite mountain frowning down on the Valley, she told me, "With only the aid of an ordinary rope, I climbed that, and folks thought nothing of it. Yet, years later, when a steel cable was put up there to assist climbers, a great to-do was made when a young woman made the 'spectacular' climb."

Down the path that held so many cherished memories for Miss Cozie, she called my attention to a huge old elm tree, growing at the edge of the forest. "Forty years ago, my mother planted the seed for that, and a whole row of stately elms. They are all gone but that one," she said sadly. "Grandmother planted the apple orchard that once thrived there across the meadow."

Our path ended up at the Park Museum. Here, among other interesting objects of the old days, Miss Cozie showed me a collection of articles belonging to the Hutchins family. She led me to a unique chair, which her father had made from beautiful manzanita wood. It had been his favorite. With Cozie by his side editing every word, he had sat in it, while he wrote numerous articles and his book *In the Heart of Sierra*.

Later, we walked down a shady path that ended at the small, rock-walled cemetery. Here under the giant Incense Cedars and age-old Sequoias, we lingered by a great granite rock, an appropriate headstone for the rugged pioneers sleeping beneath it. "James Mason Hutchins, Feb. 10, 1818-Oct. 31, 1902, Father of Yosemite, Builder of the first trails, roads, bridges and dwellings in this valley," and beside him, his beloved daughter, Florence, who had lost her life on the mountain trail.

Miss Cozie pointed to other graves scattered about us, telling something of the life of each occupant. "Over there lie Lucy and Bill, good old Indians. Under that giant cedar, planted by his own hands, rests a rough-and-ready old Scot sailor. He also helped Father to build trails and roads over these mountains.

"It's a shame," she reflected, "to think no one has cared enough to carve the names of the dead on some of these headstones. These people were a part of the history of this lovely valley. After I'm gone no one will know who they were, or remember them, or know of all the good things they have done."

In the quiet of this hallowed sanctuary we said goodbye, hoping that someday our paths would meet again. They never did. Gertrude Hutchins Mills, beloved Miss Cozie, died in May of 1956, at the venerable age of eighty-eight.

The Upper Hotel where Miss Cozie was born in the Green Tree Room. Below is the Hutchins' cottage which the skunks loved to raid.

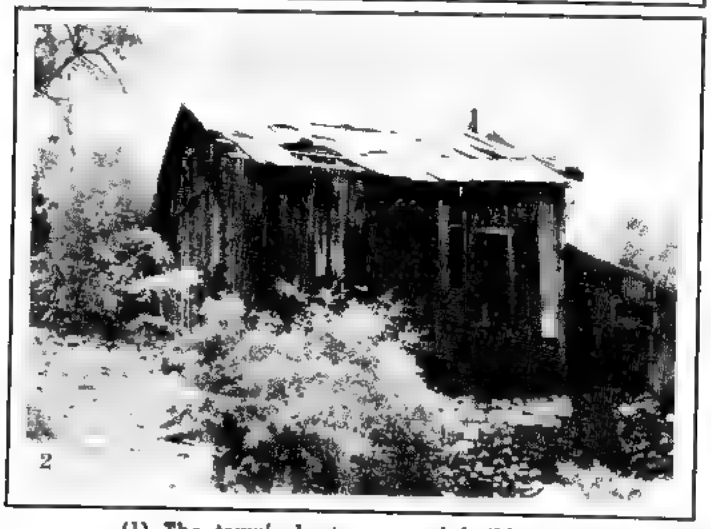
Placerita

Fifth in a series of little-known ghost towns

By TOM BARKDULL

Photos By Author

1



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3

(1) The town's best-preserved building. (2) Tumbledown and sagging . . . but home to three baby humming birds. (3) Placerita Mills . . . a cool respite at the end of the trail. (4) The house at the end of Main Street.

FROM THE high desert community of Stanton, Arizona, an ancient trail twists and climbs for nine tortuous miles over the Weaver Mountains to the long abandoned and forgotten streets of Placerita. The dry, hot wind whispers along this trail unceasingly and slips through the pass between Antelope Peak and Rich Hill to eventually enter the upper end of Main Street at the sagging framework of the old Placerita mill.

This hamlet was first known as Placeritas, meaning "Little Placer." Gold was discovered at the townsite by Mexicans during 1868 and 1869. Resting at the northeast tip of the Weaver Mountains at an elevation of 4,700 feet, it affords an almost ideal year-'round climate, being high enough to escape the severe heat of the desert in summer and yet enjoying mild winters due to the upward flow of warm air from the desert below.

The camp was a vital and vigorous community for many years before the coming of the post office. It existed only falteringly from 1868 until 1875, but on November 3 of the latter year it was invaded by A. W. "Old Grizzly" Callen and his entourage of twenty-one wagons and eighty henchmen. Callen selected Placerita for his headquarters and for twenty years dominated the town like an autocrat. The mines in the area, as well as most of the businesses, were either wholly or in part under his control.

In 1889, Old Grizzly initiated the beginning of his end of domination over the town when he killed Byron Charles and Frank Wark on Main Street. Bucky O'Neill, then Sheriff of Yavapai County rode to the townsite, arrested Callen and returned him to Prescott where he was held in jail pending trial. Although he was exonerated on grounds of self-defense, he never regained his power over the community. From then on private enterprise flourished, the mines were producing to capacity, the mill was a twenty-four-hour operation and in February, 1896, the town was grant a post office. Saloons, restaurants, boarding houses, barbershops and other businesses rallied to the needs of miners and millhands and Placerita ran wide open for fourteen years until the post office was finally discontinued on August 15, 1910.

An interesting sidelight to life in old Placerita is noted in the *Arizona Journal Miner*, March 16, 1898 edition, which stated, "Under-Sheriff J. P. Dillion went to Placerita last evening to investigate the robbery of the post office at that place, which occurred on Monday night (March 7). The thieves secured $40.00 in money and $60.00 worth of stamps."

EXCEPT for the still solid back wall, the mill is obviously on the verge of surrender to age and elements. Blue sky is visible through rents in the roof and the incessant wind complains lonesomely through wide cracks in the warped walls. However, it was in this primitive structure that I was greeted by the only living residents of the village: suspended from a precariously rusty wire between ceiling beams was a tiny nest with three baby hummingbirds, mouths wide open toward Heaven, waiting for the return of the mother.

From the millsite, Main Street wanders down the meandering Placerita Gulch for a full half-mile. The gulch, on either side of the street, is lush with walnut trees which at the time of visit were generously laden with mature fruit. Near the center of town steadfastly stands the only home which has resisted the years. Constructed of stone and mortar, it stands aloof—and rather arrogantly—amid its tumbledown neighbors. Its interior plaster has but few cracks and the

(Continued on page 45)

4

OWN YOUR OWN CATTLE BRAND!

The Western Coat-of-Arms.

We will register a cattle brand for you from a County Deep in the Heart O' Texas.

No two brands can be alike.

Draw the pattern you want and complete the form below. We will register a brand as close to your design as possible, and return to you a beautiful certificate, officially certifying that the brand is yours, and suitable for framing.

The perfect western gift.

MAIL TO

A TO Z BRANDS
P.O. BOX 844
TEMPLE, TEXAS

I hereby authorize you, as my agent, to register with the County Clerk a brand as nearly as poss'ble to the following design:

DRAW YOUR DESIGN

The brand should be registered in the name of _____

You will send me a certificate of such registration.

Enclosed is my check for $4.98 from which you will pay all registration costs.

Name_____

Address_____

City_____ State_____

(Note: We can also sell you branding irons, jewelry and other items personalized with your brand, made to order. Write us what you want.)

Vinegarroon

(Continued from page 32)

Roy appreciated the humor of the situation, handed the stranger his correct change, and ordered drinks on the house. He put up the customer for the night, and by the time the next train arrived, they were real friends.

Bean despised a tenderfoot who pretended knowledge of the West. He looked sourly upon any poseur, regardless of the occasion.

"What'll it be, Mister?" Oscar Sweeden asked a towheaded young chap standing before the bar admiring himself in the dingy mirror. The stranger's new Stetson brim was at least two inches wider than the accepted size in the West at the time; the band was a quarter-size too large. The crown was pinched to a point; and the whole effect gave the newcomer a ludicrous appearance of which he was wholly unaware. He adjusted the bright silk kerchief around his neck at a swaggering angle and hitched up brand-new leather chaps with conchos liberally dotting the outer edges.

"Gimme a shot of pizen!" he answered out of the corner of his mouth, slamming his booted foot upon the bar rail. He naturally expected a drink of forty-rod whiskey, and the bartender reached for the bottle.

"Hold on there, Oscar," said Bean, who had overheard the order and already was eyeing the new customer with an expression which might have been inspired by a severe bellyache. "I'll take care of that order. You look after this end of the bar."

On the two-foot shelf constituting the back-bar were three quart fruit jars. In each were preserved in alcohol typical specimens of the denizens of the Trans-Pecos—several tarantulas, a vinegarroon, small rattlesnakes and a Gila monster.

Acting in a matter-of-fact manner, as though it were a regular part of the daily routine, Bean reached back and grasped the jar containing the tarantulas. He placed a whiskey glass on the bar in front of the swaggering stranger, unscrewed the top from the fruit jar, and poured the glass full of the preserving fluid.

Without a change of expression or tone, he said, "There's yore pizen, feller."

The customer, who had been watching the procedure with growing concern, glanced once at the glass and shoved it back. "Gimme a drink of whiskey!" he commanded.

Bartender Bean reached under his apron and brought up his long-barreled .45. He drew on the surprised customer. "You ordered pizen; now goldam you, drink it!"

The stranger paled perceptibly. "I—I don't believe I want a drink; but I'll pay for it—if it was any trouble to you." He started to back away.

Bean gripped his gun and threw down on the thoroughly subdued tenderfoot. "Licker pizen or lead pizen—have yore choice."

The young fellow grinned in a silly manner through paling lips. A trembling hand moved out and grasped the glass. He raised it toward his lips.

"Wait a minute!" Roy commanded. "Set that stuff back down. Next time you come to the Jersey Lilly, be yoreself. Don't pull any of yore Wild West stuff on us. We're plain, easy-goin' folks out here and we don't like it. Drinks for the house are on you, stranger!"

Bean returned the preserving fluid to the tarantula jar and the pseudo-Westerner breathed deeply.

ALTHOUGH Bean considered it his legal and inalienable right to short-change strangers at his bar, especially if these strangers were railway passengers, he deeply resented anyone's turning the tables on him.

A passenger one day tried that. The whistle tooted and all passengers at the bar hurried out. One short-legged imbiber wearing back-East clothes and a handle-bar moustache was standing at the end of the bar nearest the door. When the whistle sounded, he placed his beer bottle on the counter and rushed out without paying for his drink.

Roy did not detect this overt act until the place had emptied of passengers and the locomotive was puffing to a start. Near-panic seized him as full realization of what had happened penetrated. In a single move he tossed off his apron and adjusted his pistols at his waist.

With a speed foreign to his usual easy-going manner, he leaped through the door, off the porch and made a dive for the rear end of the departing train. With an effort he grasped a bracket alongside the rear steps and flung himself to the platform.

He reached upward and yanked the emergency cord. Brakes screamed and the train came to a stop.

Bean unholstered his guns and stalked through the coaches. He scrutinized each passenger with penetrating gaze. "It's all right, folks," he reassured the passengers as he entered each coach, "I'm only lookin' for a ornery polecat with a moustache."

Finally his search brought him face to face with the absconding customer. He covered him in decisive style. "Gimme four bits for that bottle of beer, you low-down sneaking', dry-gulchin', s-o-b, afore I lose my temper!"

The handle-bar moustache quivered. The passenger nearly ripped out his pocket in his haste to find some money. He handed the outraged bartender a dollar.

Bean shoved the piece into his pocket. "Four bits for one bottle of beer; four bits collection fee," the judge commented as he holstered his guns and strode to the nearest exit.

JESUS TORRES was a die-hard. It was spring, and sheep-shearing time. Ranchmen would bring in three or four hundred extra Mexican hands for the seasonal rush. In contemplation of a brisk and profitable business, Roy laid in a heavy supply of beer.

For three or four years Jesus Torres had operated a small saloon in the Mexican section of town, but since his trade was almost exclusively the shiftless class of his own countrymen, he was little or no competition to the Jersey Lilly. Bean ignored him completely.

Outwardly Torres seemed content to watch his arch-enemy corral the cream of the business while he waited for the crumbs, but apparently that passiveness had been on the surface only. A constant urge to even the score with Bean had been smouldering in his mind.

With the coming of the sheep-shearers Jesus sensed the fruition of this taunting ambition, and he had the effrontery to carry out his daring plan.

He constructed an open-air floor back of his little thatch-covered saloon. He moved about in a mysterious manner, a smug smile on his face. His small black eyes glittered with secret contemplation when anyone asked him about his improvements.

(Continued on page 57)

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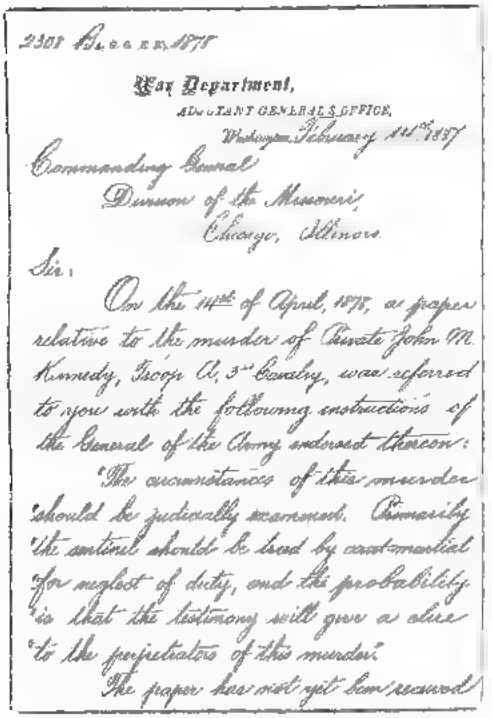

2301 A.G.O. R.R. 1877

War Department,
ADJUTANT GENERAL'S OFFICE,
Washington February 11th 1887

Commanding General
Division of the Missouri,
Chicago, Illinois.

Sir:

On the 14th of April, 1878, a paper relative to the murder of Private John M. Kennedy, Troop A, 3rd Cavalry, was referred to you with the following instructions of the General of the Army indorsed thereon:

"The circumstances of this murder should be judicially examined. Primarily the sentinel should be tried by court-martial for neglect of duty, and the probability is that the testimony will give a clue to the perpetrators of this murder."

The paper has not yet been received

Courtesy National Archives

One of the numerous pieces of correspondence about the case

"A" TROOP'S LITTLE SECRET

By JOHN CARSON

More than one soldier knew who dispatched Private Kennedy, and more than one soldier was involved, yet you'd have to look far to find a group of men who saw more and said less!

"A" TROOP was cold –saddlesore and weary after four futile months in the field. They had seen plenty of Indians, and had killed a few, but for the most part, it had been a lonesome, useless patrol. Four months without a pay day, but then, of course, there'd been no place to spend money even if they'd had it. No towns, no women, no liquor—nothing but endless saddle-slapping as Lieutenant Morton's Third Cavalry troopers strung out the length and breadth of the Black Hills of Dakota.

No liquor—that was probably the hardest to bear for these hard-bitten, squinty-eyed cavalrymen. Especially Kennedy. The dissolute private had grumbled incessantly since the patrol left Fort Laramie the preceding September. It was now December, cold, miserable and almost Christmas, and not a drink for four months!

John M. Kennedy was a young man from a good family in Belvidere, New Jersey. Twenty six years old in 1877, he had been an enigma to his fellow troopers since his enlistment at Indianapolis the year before. A hard drinker, the diminuitive Easterner would fight one or a dozen; it made no difference to him.

On several occasions, when the morale of the weary troopers was down around their ankles, Kennedy nudged it a little lower with his constant grumbling. Sergeant Schaffer, his squad leader and long in the ranks, had jerked the picket rope on Kennedy a couple of times—shut him up or pulled rank on the trouble maker. Kennedy had subsided on those occasions, but he didn't forget. He watched Shaffer with a baleful eye, and savored quiet thoughts of what he would do to the rank happy non-com if he ever got the chance.

Officers came and went in those fast-moving cavalry troops, and sometimes they knew what they were about and sometimes they didn't. The sergeants more often than not were the real military commanders. An officer with a first rate top-kick had it made, and "A" troop had the best.

FIRST SERGEANT John Van Moll was a long-time cavalryman—he'd seen action during the recent war with the South, and had done several hitches on the frontier, fighting Indians. When it came to molding a crack outfit, Van Moll was the man for the job. He seldom got rough with the recruits, but he could if he had to. A perfect buffer between the rough-hewn troopers and the spit and polish West Pointers, Van Moll was equally respected by both –no mean feat, then as now.

As "A" troop turned toward Laramie, the troopers' eyes glistened with anticipation. Camp was made at Silver Springs Ranch; tents were thrown up because of the bitter cold, and fires were built. There the paymaster was waiting, and the men joyfully lined up to pocket, if only temporarily, four months' pay in hard cash. Liquor, or the frontier facsimile, was available at the ranch in quantity. The prices were outrageous, but after all, it had been a long time.

Private Kennedy went through the line with the others, and when he got his pay he bought whiskey. For two days the troop remained at Silver Springs.

On the evening of December 14, Lieutenant Morton scratched on the tent of Sergeants Van Moll and Schaffer. The latter was not in, but Van Moll bade the C.O. enter. It was then about 7:00 p.m., very dark with the mercury hovering below the zero mark. Only a small candle illuminated the sergeants' quarters. The two soldiers discussed the pending march to Fort Laramie, and after making their plans, Morton rose to leave.

Suddenly the tent flap was thrown back and the drunken Kennedy thrust himself inside. Wild-eyed, armed with a carbine, he demanded to know Schaffer's whereabouts. It was obvious that he had worked himself up to a killing rage, and Schaffer was to be his victim. Without hesitation, Van Moll stepped between Kennedy and Lieutenant Morton, shielding the officer with his own body.

The crazed private swung around facing Van Moll and before the First Sergeant could make a move, Kennedy fired, the slug tearing itself into Van Moll's vitals. Morton leaped over the falling body and, calling for the guard, wrested the rifle away from the drunken soldier.

Corporal Taggart was in charge of the guard, and Morton quickly explained what had happened as he knelt over the fallen sergeant in the futile hope that some spark of life remained. But the First Sergeant was dead, and with his death Corporal Taggart had lost his best friend.

MORTON ordered that Kennedy be taken to the guard tent and, always the officer, was now thinking in terms of military justice for this senseless killing. Taggart escorted the prisoner to the tent and assigned Private George Nelson to remain with him as guard.

Word of Van Moll's death quickly spread throughout the camp. The dog-tired troopers, many of them sick and hungover but suddenly sober, assembled in little knots and in hushed, angry tones, discussed the death of their popular First Sergeant at the hands of the unpopular Kennedy. Van Moll had been a friend to all—Kennedy to none.

Gradually the camp grew quiet and one by one the fires died down. Only in the guard tent did a small light flicker as little gusts of wind toyed with the candle by the entrance.

Lieutenant George Chase, Officer of the Guard, made a routine check of the prisoner about 10:30. At the entrance to the tent he found Private Nelson wrapped head to heels in a blanket tied securely with a lariat. Rushing into the tent, Chase had no doubt he would find his prisoner gone. His fears were unfounded, however; the prisoner was still in the tent. He was hanging from the ridge pole suspended by the neck. A quick glance was all Chase needed to ascertain that Kennedy was dead, and from the grotesque angle of the head, it was evident that the man had made a drop. Later examination revealed a broken neck.

Releasing Nelson, Chase asked what had happened. The guard told him a civilian had come into camp and had inquired about a certain trooper. Nelson said when he turned his back to the stranger to point out the trooper's tent, a blanket was thrown over his head and his arms were pinioned tightly to his sides. Then several persons rushed up and tied him inside the blanket.

Lieutenant Morton was summoned, and he ordered that Kennedy be buried on the spot. The grave was marked with a board, but was given no number.

Private Nelson and Corporal Taggart were questioned closely. Nelson insisted he did not know the stranger who accosted him; the trooper about whom the stranger was said to have inquired, said he had no idea who might have been asking for him. Nelson said he did not recognize any of the crowd who rushed him, and did not know what went on in the guard tent while he was trussed up. Corporal Taggart maintained that

(Continued on page 58)

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Walt Coburn's Tally Book

(Continued from page 31)

and the whooping bronc twister.

But as he came close, we all heard Charlie call out loud and plain, "Git to hell out of a man's way!" Charlie waved Bill off with his hat. "Quit a-botherin' us!"

And with both legs swinging forward and back, he fanned the big brown bronc square off the high bank. The Bogus Brown pitched over and out of sight, Charlie scratching him as they dropped from view.

There was a dull, sickening splash. We rode to the edge of the bank and all we could see was Charlie's hat floating on the riffles of the muddy water. We all stared down at the water, sort of paralyzed and struck dumb, and it seemed hours till the bronc and man broke the water's surface.

The Bogus Brown's nose and head came up first, then Charlie's. His black hair was plastered down across his head, comical-like. The horse was snorting and blowing and pawing water, then he started swimming for the south bank, Charlie Brewster in the saddle.

Charlie spit out a big stream of muddy water and grinned up at us, looking back over his shoulder. The loop of his quirt was slid down over his wrist and his fist was doubled up. Then he swung his arm, opening his fist, and let fly a handful of river mud.

"You kin start crowding your dogies into this crick any time now, Bill," he called out. "I'll break trail through the ice for you gentle hands to foller. There's a keg of whiskey at the Two Bar camp on yonder side and I'm goin' over for a little nip."

We watched Charlie Brewster and the big Bogus Brown swim high and handsome toward the Two Bar waddies on the far side cheering, and old Spud Stevens himself waving what shore looked like a bottle.

Then Bill started cussing soft-like, the color coming back into his face that still looked grim and set and desperate.

"Boys," said Bill, in that tone of voice used at funerals, "there rode about the biggest damn fool and the gamest bronc-fighter in history. Charlie Brewster can't swim a damn stroke!"—Walt

The Ward Massacre

(Continued from page 17)

a rifle bullet hit Mr. Cantrell in the abdomen. This wound proved fatal the following morning. Mr. Perry was shot through the right lung.

At the first treacherous attack of the Indians the remaining white men rushed for their guns. By fast and accurate shooting they managed to drive the enemy out of gun range. Two redskins were seen to fall but were picked up by their companions.

The Indians hung around for hours but always out of range. They tried to stampede the stock but met with no success. Whooping and hollering, they fired their guns, but the horses did not break away as they hoped. Finally the leader of the Indians said that if the whites would give them some horses they would go away and not molest them further. In order to buy peace several horses were released and were caught up by the Indians. They kept their word and made off in the direction the Ward train had taken much earlier in the day. The manner, dress and speech indicated strongly that the leaders were white men disguised as Indians.

This small party had no shovels or spades so their dead could not be buried where they fell. Instead, they were loaded and carried in the wagons. Under the hot August sun, the odor soon became very offensive.

When Mr. Perry died on the morning of the fourth day after the fight on the plateau, the train was halted and shovels were made from boards. A funeral was conducted by the side of the trail.

THE DAY AFTER the burial of the three men, the small train caught up to the larger one led by Captain Coates. The Captain sadly related to the members of the small party what he had learned about the fate of the Wards.

The Captain's train had pulled into a small valley that had a little unburned grass for forage on the first night after the party had divided. They made camp and prepared their evening meal. After eating they were sitting around the campfires talking. Suddenly shrill yells burst upon the quiet night air. A band of painted Indians hit the horse herd in a wild charge. Before the members of the camp could get to their feet the mounted raiders had come and gone—taking with them several horses. Not much could be done that night to recapture the stolen stock. At daylight the next morning Alex Yantis and six other men left to make a search.

While tracking the horses in the early afternoon, they came to the brow of a hill overlooking a small and dry watercourse. As they topped the rise the seven men abruptly halted. There before them the bodies of several white men lay beside their wagons. Nearby, spirals of smoke were rising from the brush and cries of women and children in pain and fright could be heard. As the men looked in that direction they saw blood-smeared Indians building fires near the captives. They saw several women and children tied to small trees.

The several white men immediately charged the Indians and attempted to rescue the captives from their bonds. The Indians, seeing the small force of whites charging them, rallied and drove them back and away from the brush.

One was immediately killed by an arrow in the chest. The remaining six retreated toward the large wagontrain several miles in the rear. In the early part of the retreat they came upon a nine-year-old boy, Neuty Ward, who had been shot by an arrow and left for dead by the Indians. Edward Neeley picked up the boy as they retreated. Finally the seven survivors arrived safely at the big train. There they told their story—the dreadful news the Captain told the Kirkland party when it arrived.

MEMBERS of the combined trains traveled toward the scene of the massacre. From all indications the Ward train had been attacked a short time after the attack on the Kirkland train. It appeared as if the Indians had fired on the men of the Ward party as they were eating their noon meal in the shade of the small trees and brush, as the bodies were near the ashes of campfires. Charred portions of the seven wagons were scattered where they had been overturned and burned. In the brush some distance away were the remains of other fires where the bound women and children had been put to the stake. Many of the bodies were horribly mutilated, and the stench was terrible as they had been dead for some time. A mass funeral service was read by the Captain before

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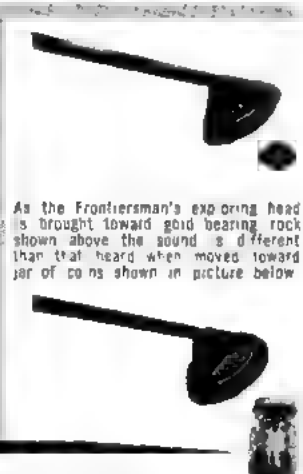

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the burial, at the conclusion of which the train continued on its way.

After crossing the Columbia River near Wallula they followed up the Naches River and through the divide at Naches Pass. After crossing the pass the wagons were snubbed down the steep mountains. The balance of the way to Puget Sound was very easy.

A few days after the massacre of the Ward family, the English trader at the Hudson's Bay Post at Fort Boise, located on the Snake River, had a surprise. Looking toward the east he was amazed to see a bedraggled figure approaching the post. The stranger was crawling on hands and knees.

The trader and his Indian wife rushed out to help. The figure was that of a white boy about fifteen years of age. An Indian arrow was protruding through his right lung, the point of the missile extending in front of his body. Dried blood had darkened the remnants of his clothing. Although the heavy bleeding had stopped, fresh blood was slowly dripping from two ugly holes in his upper body.

The couple picked up the boy and carefully carried him to the post building. He was placed in bed on his side. The shaft of the arrow was cut in two and the two pieces were carefully pulled from the holes in his chest and back. After cleansing the wound, the boy was straightened out and covered with blankets. Two days after being rescued, the victim became rational in his talk.

His name was William Ward and he was a member of the ill-fated wagon-train. At the time of the attack he had been out of sight of his companions. During the volley of arrows fired at the train, a stray had entered his back and he had fallen to the ground unconscious. But he had come to his senses during the massacre and had witnessed the mutilation and burning of his relatives.

After the Indians had left the scene, William had managed to get underway. He crawled on his hands and knees through the hot and dry countryside. No food or water had been left on the wrecked train for him to use. The only moisture he found was in a few low places which held a bit of stagnant water. Five days of this and he managed to reach the post on the Snake River—more dead than alive. After his recovery, he proceeded to the Puget Sound area with a passing train.

When word of the massacre reached authorities, Major Granville Haller organized an expedition into the Snake country to capture the savages. The Indians retreated into the mountains and Haller and his soldiers returned to Fort Dalles for the winter. During the summer of 1855 Haller made another attempt to reach the Snake Indians and finally captured and executed the murderers of the Wards, but it is said the two young survivors of that unfortunate family did not find each other for thirty years.

Last Days of a Plainsman

(Continued from page 23)

DEADWOOD CITY, full to overflowing with thieves, assassins, "skin" gamblers, and other elements of disorder, was rapidly coming to the point where some sort of government was necessary. At such times on the frontier there is always a struggle, and usually a hand-to-hand combat between the lawless and the orderly classes. Wild Bill had been Marshal in other and similar places, and people began to talk of him for Marshal of Deadwood. That outc everybody knew, would mean a sh. shrift for crooks and disturbers.

In the town there was a man named Jack M'Call living under an alias. He was in the position technically known as "stone broke." The agitation of the marshalship was growing warm. The thieves and "skins" saw their inevitable end drawing near. It began to go around that Wild Bill could never hold office in Deadwood City. A rumor reached Utter that the big plainsman, who had ruled half a dozen towns, was to be assassinated. That evening he came over to camp looking serious.

"Bill," said he, after supper, "it's pretty dull around here, don't you think?" Wild Bill nodded, looking onto the fire.

"I've been considering," resumed Utter, "that we might as well take a move."

"So? Where to?"

"Well, it might be a good scheme to organize a little party," continued Utter, persuasively, "and go over to Standing Rock and cut out some ponies."

By "cutting out ponies" Utter meant the swooping down of a few white men upon a herd of Indian ponies, driving them off and selling them—a plan which, in the easy morality of the prairie, is perfectly legitimate where Indians are concerned.

Bill was silent.

"Joe will go along," resumed Utter, urgently, "and so will Richardson (I wasn't so sure about that), and a dozen others. Will you go?"

"Not a d—d foot."

"Why not?"

"Well, those fellows over across the creek have laid it out to kill me, and they're going to do it or they ain't. Anyway, I don't stir out of here, unless I'm carried out."

That was when I saw the quick flash of ferocity in Wild Bill's eyes. The conversation ended at this point. Everybody knew it was useless to argue with Wild Bill when his mind was set, and so everybody went on about his business as before. Two days afterward "those fellows over across the creek" carried out their proposition.

FIVE MEN, among them Wild Bill, were playing draw poker in a shanty saloon. Standing about were a dozen others looking on. Bill's back was toward the door. Seated next to him to the left was an elderly man with his back against the wall. Something had been said about his changing seats with Bill, and after that hand the exchange would have occurred. Human life hangs on slender threads. With his back to the wall Wild Bill would have been safe enough, because few men would have dared to attack him openly.

Suddenly, without a word of warning, without even the knowledge of those standing nearest to him, an undersized man right behind Bill's chair, a man whom Bill had never seen in all his life shoved a six-shooter to his head and fired. There was a muffled report, Bill partly straightened up, and then fell over sidewise, dead. The undersized man ran out.

The elderly player dashed through the back door and up the side of the gulch shouting "Murder!" The town was in an uproar. There was a "miners' jury," consisting almost solely of skin gamblers, to sit on the case. To them the assassin told a pre-arranged story of how his only brother had been shot by Wild Bill, and how he had nobly avenged that brother's death.

It was all a wild farce, that trial, just

Utter and his friends knew it would be, and the murderer was set free. Until now he had been absolutely without money. In a few days he turned up in Laramie City with plenty of free gold in his possession, and boastfully declaring that he had slain Wild Bill in single combat. Where did he get the gold?

M'Call was arrested and taken to Yankton. Utter pursued him to the very scaffold, furnished the witnesses, paid their expenses out of his own pocket, and fairly [illegible]ted the wretched coward, who sniveled and whined like a horse-whipped hound when it came to the final showdown. Utter was faithful to his old friend to the last. Wild Bill was buried at Utter's expense. It is a late day to plaster the mud of falsehood over the memory of this fallen giant of the frontier.

A lock of the dead man's hair was cut off after his body had been prepared for burial. Utter took half of the long brown strand and I have the other half to this day. It is as glossy as spun glass and as soft as down. Near the roots there is just a touch of roughness, where the life blood of a brave, great-hearted American man gushed out as the assassin's bullet burst through his brain.—LEANDER RICHARDSON

Placerita

(Continued from page 38)

massive fireplace and hearth are as substantial as the day their mason stepped back to admire a job well done.

Crumbling foundations line both sides of the street, interspersed with infrequent houses and stores, most of these slouching at crazy angles, but in rare instances standing with erect dignity. At the lower end of town, shaded by a huge spread of walnut trees, a rusty iron pipe, still boasting an old-fashioned faucet, emerges from the side of the gulch. For a most pleasant surprise, turn it on and let it run for about a minute; you'll be treated to the coldest, clearest and most sparkling drink of spring water you've ever enjoyed! Opposite this unexpected spa stands the farthermost house in the townsite. Built as a barrier across the north end of the street, this one carries on with sagging screen door, a vestige of barn-red paint and the invariable miniature "annex" at the end of a grown over path.

Placerita may be reached in a four-wheel drive vehicle by driving five miles east from Peeples Valley. The ghost town enthusiast must watch closely for the town's remains, however, due to the heavy growth of trees and undergrowth which nearly hide the gulch. Entrance from this route I found to be rocky and rugged, having to cut away branches two inches thick in some spots. However, it beats the nine-mile trek up the badly overgrown trail from Stanton.

Whichever path you choose, you'll be glad that you made the trip. Old Main Street fairly reeks with Western atmosphere. The washes hold some promise for the "bottle hunters" and the front yards will most certainly yield treasures to the metal detector crowd. For those akin in nature to this writer, the thrill will come from merely trodding the ancient Main Stem where so much gayety, violence and tragedy were a part of everyday life some ninety years ago.

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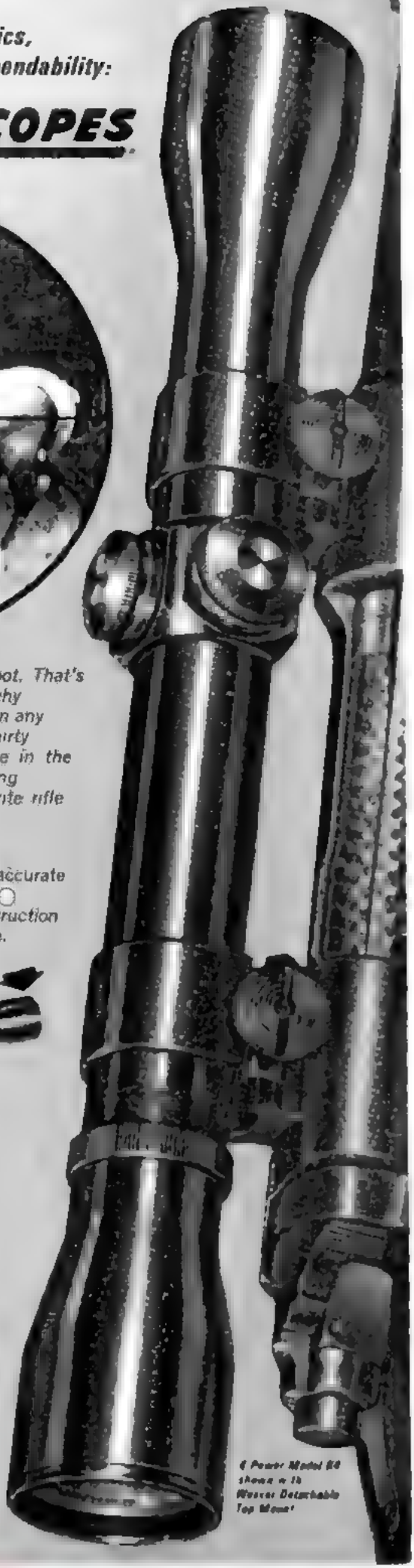

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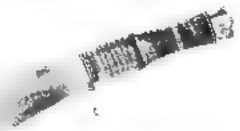

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Within the Code

(Continued from page 16)

and paid out another nickel. He was determined on a batch of buttermilk biscuits. He set the can down by his flour sack exactly where he had set it the first time.

"I'll kill any s-o-b who drinks this buttermilk," he remarked as he turned away to put wood on his fire.

The cowboy who had dared once dared again. A minute later the cook discovered his loss.

"Who drank that buttermilk?" he demanded.

"I did," the guilty cowboy answered with a kind of sneering bravado.

The cook walked to his bedroll, drew out a six-shooter and shot the intruder dead. He had a private mount in the remuda and a saddle in the wagon. When the remuda came in he saddled up and rode away.

In 1925, Joe Burdette, then night watchman for Oklahoma A. & M. College at Stillwater, where I was head of the English Department, told me something that adds to the lesson. Along in the '70s while he was driving up the trail for the Wiley Brothers from north Texas, one of their hands quit and the boss hired a Mexican vaquero in his place. The other hands didn't like this vaquero but he was needed, and no special trouble came up until the herd got into the Wichita country. From here on is Joe Burdette's own account:

"We made camp on Cow Creek, and had to hold our cattle there for quite a spell. One day when we rode in for dinner, we found the Mexican already eating. He'd left his horse loose and it had grazed off some distance. When the Mexican got done, he walked up to a saddled horse that belonged to one of the boys still eating and said, 'I believe I'll just ride out and get my horse.'

"'You stay off mine,' the cowboy ordered.

"The Mexican said, 'I'll be back in one minute.'

He pulled up into the saddle on one side and fell off on the other. We moved camp four hundred yards off anyhow, and the cattle grazed all about that Mexican's body for a week.

"Hell, no, we didn't put him underground. We didn't feel any call to bother. And you know, the buzzards never did light on the ground where he laid and nary a wolf ever touched him.

"Sometimes a man had just one chance to tend to his own business."

HEN BAKER got a job with the Schreiners on the Guadalupe River up country from San Antonio. He went up the trail with a herd under Gus Schreiner, who sold his wagon and horses with the cattle and brought the men back to San Antonio over the new railroad. Before taking the stage to Kerrville, a town then pretty much owned by the Schreiners, he wanted to treat "the boys" to a meal at the Menger Hotel. Robert E. Lee slept there.

They sat down at a table, everybody careful of every movement. A handwritten menu brought by a waiter was passed around, the novelty of it more pronounced to the guests than what it offered. All waited for Mr. Gus to order first. He ordered quail on toast.

Hen Baker was next to him. He looked at the waiter and said, "I'll take that too and, if you don't mind, I'd like some coffee."

Long afterwards Hen Baker used to tell of this dinner at the Menger Hotel. "And you know," he'd say, "when the waiter brung in that quail on toa. warn't a damn thing but a little pa'tridge on a slice of scorched ligh bread. No meat and not a thing fried."

One night while I was standing in the lobby of the Bluebonnet Hotel in Kerrville a stranger introduced himself to me as fireman of the hotel. Since I wrote stories about his kind of people, he said, he'd like to tell me one on Hen Baker. Hen had quit horsebacking much, was getting along in years and was taking on odd jobs when the Kerr County grand jury indicted him for killing a man with a pocketknife. At the trial he took the witness stand in his own defense. His testimony, spoken to jurymen as his equals, follows.

"You all know about the picnic and barbecue on the river. A big crowd was coming from town and all the ranches around. Somebody had to show the drivers where to put their buggies and wagons and tie the teams and saddle horses, too, so as to keep the grounds clear. The boss asked me to take charge of this business.

"I took my place right where the road goes between two big trees and showed everybody that drove up how to pull off to one side or the other and find a good place to tie up. The underbrush has been cleared away out there, you know. After the crowd gathered, some fellers were sashaying around considerable on horses when this man from Bandera rode up. He was purty well lit, and I could see he was packing a gun on his hip. He got down and says, 'I'm the Bull of the Bandera Woods and I hear you're the King of the Kerrville Cedarbrakes. Let's see who's the best man.'

"I says to him, 'I'm busy here. Over there right now a horse some fool didn't tie up right is setting back. I got to tend to him. Go on off.' I stepped over and tied the horse right, but the Bull of the Bandera Woods kept on pestering me. Finally I got rid of him before he started any real trouble. I think he got with a couple of Bandera *compañeros*.

"The crowd didn't break up till late, and I stayed till the last vehicle had cleared out. It was clost to sundown when I got back to town, and I was plenty leg weary. I stepped into the Mint Julep and was leaning against the bar taking my drink easy when Bandera come in the door. He was three sheets in the wind and his eyes looked like a pair of calf nuts floating in a bag of blood. But he was purty steady too.

"'Uh, I see you're here,' he says.

"'Come over and have a drink,' I says.

"He comes over and stands up to the bar beside me. I had straightened up and moved a little so that he was to my left. The barkeeper pours him a drink. He swallers it at one gulp and puts the glass on the bar. Then he folds his arms and roosters me in the ribs just like that."

Here Hen Baker folded his arms and jabbed his right elbow into the ribs of an imaginary target. Then he ended his testimony, "I didn't have my six-shooter and so I had to cut his throat."

Hen Baker grew up where and when it was considered unbecoming for any man to use fist or knife in combat. In saying, "I didn't have my six-shooter and so I had to cut his throat," he was apologizing for a breach of etiquette. He had tried to avoid trouble; the troublemaker had violated his privacy and insulted his person. Laws and courts ruled the land but Hen's code of ethics went back to times when a man relied on himself to take care of insulters. The jury's verdict was "Not guilty."

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ON MANY MEN who rode horses around cows, six-shooter culture did not take any more than Shelley's poetry takes on the majority of college sophomores—though Shelley took on me. In 1925 I chanced upon an old Texas trail driver named Branch Isbell. My mother and her people knew him when he was a gay cowboy down in Nueces County. During a talk something about six-shooters came up and I asked Mr. Isbell if he wore one on the trail to Kansas.

"No," he said, "I never buckled on a six-shooter anywhere. I figure my life has been saved several times by not having one handy. No gunman ever bothered a man without a gun, and a man without a gun shore wasn't going to bother a man with one—if he had any sense. I never felt undressed or out of place without a gun."

Branch Isbell had plenty of company of no-gunmen. My Uncle Frank Byler was driving a herd of his own horses to the Kansas market by the time he was twenty. One year while passing through the Indian Territory he and two other hands rode to a pool in an opening among trees. While their horses were drinking, one of the men noticed a cottonmouth moccasin swimming close to the bank.

"Frank," he said, "you got a six-shooter. Shoot that snake's head off."

"I know I can't but I'll try," Uncle Frank said, drawing the six-shooter from its holster.

He aimed and pulled on the hammer, but it would not cock. He looked at it and saw that rust and dirt had clogged trigger action. He hadn't shot the thing for months before leaving Nueces County, never had shot it much, and hadn't removed it from the holster during maybe two months of rain, mud, and dust on the trail. He took that six-shooter by the barrel and threw it at the moccasin and watched it sink in the water and mud.

"Nobody that can't shoot a six shooter has any business carrying one," he said as he rode off.

Mark Twain, in *Roughing It*, characterized "road agent" Joseph A. Slade of Montana as "at once the most bloody, the most dangerous, and the most valuable citizen that inhabited the savage fastnesses of the Rocky Mountains." He was "valuable" because "the world was richer for the loss" of several thugs that Slade put an end to. Society probably suffered no loss when Hen Baker put an end to the Bull of the Bandera Woods.

Charlie Ross took the name of Gannon after a certain "difficulty"; he had killed in what he considered self-defense. He stayed in practice. He would ride a horse at full speed along a fence, hitting every post center. Yet he was a trusted cowman, wore a money belt, and one time carried as much as $25,000 in it. He had long wanted a certain ranch of good valley and hill grass land walled in by rough mountains fantastically beautiful. The setting talked to him, but the owner would not sell. Years went by. He was managing a company ranch for pay when he heard that the land he had kept on wanting was for sale. He rode to see it again. The hills and valleys still grew grass and the mountains still guarded them, but something in him had died. The ranch was no longer beautiful to him.

The time had come for him to quit. He rode back to the ranch he managed. The owners, he realized, were no longer satisfied with him. The very day he got back, a new man came to supplant him.

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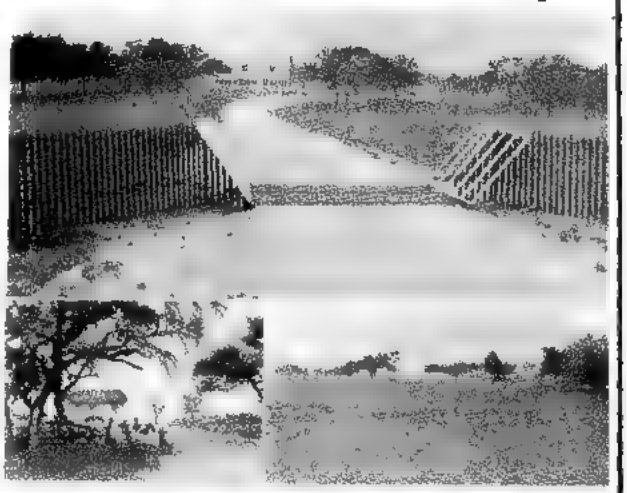

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In no time he was showing his authority. I do not know why Gannon did not leave at once.

On the following Sunday morning—it was in midwinter—the new manager walked into the bunkhouse where Gannon and two cowboys loitered. He began by raising hell at their not cutting ice so that cattle could get to water more easily, though there was plenty of running water free of ice. He included Gannon as a common hand.

He went too far. Gannon raised and shot five bullets into his heart. After a while the two cowboys asked if they might remove the dead body.

"Yes."

They stayed outside somewhere. Before long they heard a single shot. Listening at the closed door, they heard agonized breathing and then silence. They went inside and saw that Gannon had shot himself in the temple a fraction to one side of the fatal spot. He had kept his plume bright—according to his code—until the very last shot. It was time to quit.

GANNON and other men of six-shooters in this series of narratives were not considered murderers. Perhaps Gannon was called a killer by some, but he was not in the professional killer class like Wyatt Earp and Billy the Kid. Any killer for property was beyond the code of "standing up for your rights."

In July, 1939, Walter Lorrance, a range man of free grass days, enlightened me at Vernon, Texas, on killings. He had worked for Cal Suggs in the Indian Territory.

"I helped bury three men Suggs killed," he told me. "He had a little graveyard close by."

"What did he kill the men for?" I asked.

"Because they needed it, I guess." He continued, "One time I saw him reading a newspaper on the front gallery. I went up to him and said, 'Mr. Suggs, that man you shot a while ago in the back yard ain't dead.'

"'The hell he ain't,' Mr. Suggs remarked.

"He went around the house. I heard a shot and he came back and finished the newspaper. The next time I looked at the man he was dead."

Every morning, according to Lorrance, Cal Suggs would empty his six-shooter into trees for practice and then load with fresh ammunition. If a gun made the least bobble, he would give it away. The government grass on which he held his cattle was a no-man's land. He kept an arsenal of rifles and six shooters at the ranch. There he ate alone, six-shooter in his lap, back to wall, facing the opening. He habitually came in to eat after the men working for him had eaten and left the room. He slept light. One rainy night while sleeping in a cabin with him, Lorrance was startled by a shot.

"What's the matter?" he asked.

"Nothing, I'm just a damn fool," Suggs replied. He had awakened suddenly to see light, for the sky had cleared, through a chink in the logs and had shot at it.

After his Indian Territory days, Suggs moved down on the southern plains of Texas and had no need for a private graveyard. He offered a choice of three prizes to the girl graduating with highest grades from the San Angelo high school: a car, a diamond, or a year off at college. He told "Cap" Yates, then young, "If you ever want a wife, pick only the one who chooses a scholarship." Until he was dying, nobody knew that Cal Suggs had a wife and three children in California. He sent for his wife to watch him die. She and the children got his property.

In 1886 a trail driver up from Texas to Montana decided to homestead a section of government land. He filed on it, built a cabin, got control of two or three adjoining sections, bought about a hundred head of cattle and watched out for them while living on his claim until he had almost "proved up" his title. Two or three men, working for a big owner whose cattle used government land, made a practice of interfering with squatters, but times now seemed quiet and the Texas man set out on a long trip. He was delayed, had been away for weeks, but as he rode to his cabin in the night he kept telling himself that he still had two more days of grace before any claim-jumper could move in.

According to custom, he had left the door unlocked. Some man needing shelter and food might come along. After unsaddling, he walked through driving snow. As he opened the door, he sensed warmth from a fire, though it had died out. He smelled the smell of cooked food. He lit a match. In the light a man raised himself from his bed, asking in a rough voice, "What are you doing in my house?"

For answer, the proper owner nearly clubbed him to death with his pistol and then dragged him outside to die. The next morning two riders took the body away.

Perhaps the squatter was not surprised when the sheriff came and arrested him. He was indicted for murder and put on trial. "I had a right," he claimed, "to put out any man trying to take my property." Fighting the case cost him his cattle and land. The big owner who had bothered him all along had put the preemptor, a hired man, in his cabin.

Cowmen who interfered with squatters were relatively few. Many helped the squatters. Very few chose to hire killers for ranch work. I have heard of only one professional killer considered a good cowhand.

INTOLERANCE lingers more steadily than tolerance progresses. In 1318 four friars were burned to death by orthodox Christians for wearing the sackcloth and-ashes frock introduced by Francis of Assisi instead of the uniform ordered by their superior.

Also, the objects of intolerance shift. In a drawing entitled "Painting the Town" by Charles M. Russell (about 1898), wild-riding, wild-shooting cowboys scatter every living thing on a saloon-dominated street—dogs, chickens and a Chinese who has dropped a basket of clothes and is moving so fast that his queue sticks straight out. The Chinese cooked and washed clothes in cow towns of Montana. To some cowboys and other he-men of the Far West, any Chinese was supposed to afford fun. This kind of fun made Mark Twain boil with indignation.

"The Chinese," he wrote, "are a harmless race when white men either let them alone or treat them no worse than dogs. . . . Only the scum of the population on the Pacific Coast ever abuses or oppresses a Chinaman—only they and their children; they, and, naturally and consistently, the policemen and politicians, likewise, for these are the dust-licking pimps and slaves of the scum, there as

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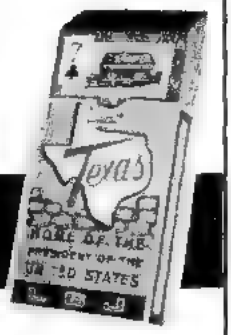

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well as elsewhere in America."

Lincoln A. Lang, a civilized gentleman from the East, came to North Dakota in the early days and eventually wrote a book entitled *Ranching with Roosevelt* (1926). One summer evening after supper, he relates, he and two other men were sitting outside their cabin facing the gate. Just beyond it passed a seldom-traveled road. At sundown a dilapidated wagon came up, very slowly pulled by a wornout old bay plug on the nigh side of the wagon tongue and on the off side by a tall, stoop-shouldered, limping, long-bearded man dressed in buckskin, his hair hanging down over his shoulders. Wagon and team looked fantastic beyond reality. The viewers knew that no man would hitch himself in a horse collar because he wanted to. They walked to the gate.

The stranger stopped, disengaged himself, and wanted to know "where I'm at." They invited him to pull in, unhitch, turn his horse loose and eat supper. Nobody asked him a single question. He ate ravenously. After a while he asked in a low, disbelieving voice, "Many like you-alls in these parts?" He evidently wanted to talk but before stringing out, he added, "Notice you-alls don't ask no questions."

He hailed from South Carolina and from the time he got out of the Confederate Army had wanted to go west. His preferred occupation was hunting and trapping. He carried a muzzle-loading rifle in his wagon. Over a year back he had headed for good hunting country in Idaho that he had heard of. He had wintered in Illinois, supported by a job.

Crossing a river in Iowa, he had lost his off horse in quicksand. Nobody would sell him a horse for what he could pay. So he hitched himself to pull with the remaining horse. From there on, except on the Sioux Indian Reservation, he had been taken for a crazy man. Avoiding towns made his road longer.

Now three ranchmen urged him to rest awhile. They found him a horse, but he would accept it only on condition that he work out its price. Then he drove on for the hunting grounds of Idaho. At any ranch he had come to in all the Dakota country, Lincoln A. Lang concluded, "he would have been taken in, treated like a man, and helped on his way."

A cowboy of the more than semi-arid ranch country along the Pecos River once said, "A world big enough to hold a rattlesnake and a purty woman is big enough for all kinds of people."

Fight on the Musselshell

(Continued from page 29)

had removed from an Indian, and occasionally nibbling, or pretending to nibble, from his gory trophy. Although some sources maintain that Liver-Eating Johnson had earned this picturesque sobriquet long years before, contemporary accounts attribute it to this incident of May 8, 1869.

The day after the battle, McDonald and Wells discovered the cache where the Santees had stripped in preparation for their ambush. It contained over one hundred robes, a great many moccasins and two war bonnets. They preempted the war bonnets as personal trophies, but sold the other effects and donated the proceeds to the wounded Greenwood. When McDonald shortly afterward appeared in Helena with his prize it was acclaimed nearly as much as his two scalps, which the local newspaper described as "having left a beautiful site for a skating rink on the cranium of the red-skinned gentry who carried them into the conflict."

It was Major Andrews, however, who carried the revenge motif to the extreme. The day after the victory he amputated the heads of ten Indian corpses, boiled them vigorously until free of flesh, and then mounted them prominently on a row of stakes along the levee for the edification of steamboat passengers. As a macabre touch he penned captions for each. For example:

> **"Let *Harper's* tell of my virtues"**
> **"I am on the reservation at last"**
> **"A good-looking half-breed, the son of a distinguished peace commissioner"**

The temper of the times is best revealed by the closing paragraph of a Helena newspaper account of the fight: "Next to the skulls were three bottles containing *pickled Indian ears*, which presented quite a 'saucy' appearance. Above, suspended on poles, were numerous scalps, war bonnets, coup-sticks, medicine poles, hatchets, knives, bows and arrows, and various other trophies—the whole forming a very imposing and curious museum."

Oregon's Bohemia Mines

(Continued from page 25)

but when the trail was completed it was considered "unsafe." Until improvements could be made, heavy equipment was dragged up to the Musick Mine by the old Knott Road which approached from the northwest. Buildings in the city were renovated to accommodate the workers and equipment while the mill was set up—a job which took almost all summer.

Despite biting cold and deepening snow, the crew set out to work one crisp October morning, 1892. The mill ran for nine extremely profitable days, yielding $4,000 worth of crushed ore ready for shipping. (Five years later, after producing about $55,000 in good ore, the bonanza vein was opened up and in the summer of 1897 the clean-up amounted to nearly $36,000.)

Improvements on the pack trail by this time were vital. The county contributed $700 to help construction on the trail originally blazed by the Musick crew. The Bohemia Milling and Mining Company and some of the miners themselves contributed the remainder to complete the road. It was and is today called Hardscrabble Grade named after Hardscrabble Ridge above it. Even now, traveling this grade with its switchbacks, sudden turns and steep grades is almost nerve-shattering in a car.

PROBABLY the most exciting discovery in the whole area was found in 1896 by an amateur to the gold fields. His name was C. B. "Charlie" Bruneau. Charlie was a photographer who made his home in Cottage Grove, and despite his lack of knowledge about gold and mining of the metal, Bruneau had "gold fever"—and he had it bad. There was nothing to do but abandon his business and go up to the mines.

A rap was heard on the bunkhouse door in one of the mining camps one night. It was opened and much to the surprise of the miners, there stood Charlie in his brand new, genuine, honest-to-goodness miner's clothes.

He announced he wanted to find a little gold. The miners, were, of course, sympathetic but persuaded him to wait until morning. They gave him supper and

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before he went to bed they told of a place he could dig. There was *some* gold there but it wasn't worth much. He might, however, be able to cool his fever. We can assume that they had some pretty good laughs after Bruneau went to bed, especially when one of them commented, "Wouldn't it be just his luck to hit pay dirt? Haw! Haw!"

The joke was to be on them.

Early next morning Charlie set out to the place they had designated—a spot where the old Knott Road was intersected by a stream, a place where miners had trampled for years, and where he, like others, might find a few *specks* of gold.

Charlie dug sincerely for several days. The ditch became wider and deeper, and the specks became richer and richer. He staked a claim when assay reports revealed that it was worth $12 per ton. Later he staked five more claims and divided them into Helena #1 and Helena #2, and three years after his doubtful beginning as a miner, he opened up the mother lode. Assay reports zoomed to $3,000 per ton, and some selected samples assayed at an unheard of $35,000 per ton. Charlie's mine became known as the "fabulous" Helena, so well known that a local saloon was called by that name and samples of the ore were displayed in the store windows of the nearest "big" town—Cottage Grove.

The gay '90s were indeed gay for some of the miners. The following years saw many glittering streaks opened up.

In 1902 the Vesuvius claim, opened earlier by Swiss emigrants, began producing ore which assayed $29,000 per ton. And in 1905, at the Champion mine which had been bought up with the Musick and Helena by Oregon Securities, a bonanza lode was opened up with ore assaying $30,000 to the ton.

"Inside the tunnel the rocks glittered," writes Ray Nelsen in his book, *Tales and Yarns of the Bohemia Mines*. "So valuable was it that only certain men were permitted in the stope, where canvas was spread down and the walls brushed upon it while larger pieces were packed in double sacks and carried out. Common report has it that several sacks were 'high-graded' and hidden out, while miners made away with more than wages by sifting a little ore in their tobacco pouches."

The Bohemia Mining District, as with most mining areas, has attracted its share of characters. One who roamed the hills fairly recently in history was a man by the name of "Bugs." The name was obviously a connotation of his mental condition. Bugs never worked a day in his life. He slept wherever he happened to be, and with whomever would have him. He wasn't fussy—a dusty cave would do, or a lean-to with no water. If he got hungry, it was easy for him to build a forest fire to lure the forest rangers from their camp and then sneak in to steal their food supply while they were out fighting the fire.

He did have one talent, though, and that was singing—although there was something peculiar even about this talent. He preferred singing while riding a bicycle backwards and strumming a guitar. And he could run faster backwards than most people there could run forward.

Another distinguishing facet of his personality was that he ran around the camps clad in a pair of shorts. On more than one occasion, huckleberry pickers spending a peaceful afternoon in the mountains had their wits scared out of them. Bugs loved to shoot at their berry

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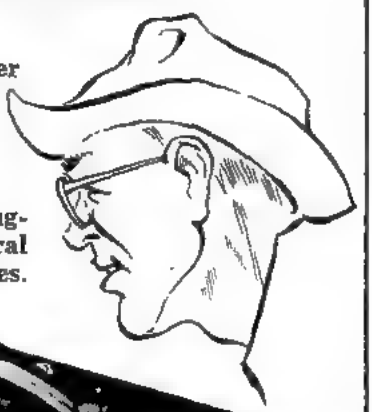

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pails and as if that weren't enough, he would expose his half-naked self, hollering and yelling like a hopped-up Indian. And he loved to kill Indians.

When he left the Bohemia area for the last time, the story goes that he went to Alaska where he killed some Eskimos. The law caught up with him finally and he was put in prison. Bugs didn't much like it there and made an unsuccessful attempt to kill a guard and escape, after which he committed suicide by high-diving from a wall.

THERE WERE those unfortunates who froze to death in the extreme winter and weren't found until the following spring thaws. And there were those who went into the mountains and were never seen or heard from again. Those who went "busted" stayed there to die if they were too old to move on. One old miner made a pillow of a stick of dynamite to hurry his inevitable, slow, painful death.

There are tales of mines that were lost. One concerns the Lost Frenchmen's mine, placered in a creek near where Bohemia Johnson staked his Mystery claim. And there is the lost mine of the Fiddler's Green on the Oakland Trail which approached the area from Oakland, Oregon, to the south.

Records show that 2,000 claims had been staked by 1900. They are all colorful in name—the Ophir which ironically didn't yield one ounce of gold but excelled in silver and copper, the Albatross, Bohemia Girl, Cosmos, Evening Star, Gold Coin, Holy Smoke, Hiawatha, Mastodon, Tall Timber—the list goes on and on.

The first World War brought a halt to mining because of lack of labor, then post-war inflation precluded mining at a profit. The period between Wars I and II saw many valiant efforts to get the mills and mines producing again, and a U.S. Geological Survey made at this time described the Bohemia District as having more potential than any in Oregon's Cascades. By the time World War II broke out, the mines were producing fairly well because of new methods introduced to save formerly wasted ore.

The government's ban on gold mining brought operations to a halt, and though the mines have run intermittently since the ban was lifted, the cost of labor and equipment continues to be high in comparison to the unchanged gold standard. As recently as 1962 the Champion Mine was renovated to handle ore from the Musick Mine, but the work was temporary.

Approximately $10,000,000 in ore has been mined from the Bohemia District in the past century. Authorities say that probably twice that amount remains to be unearthed from the rugged mountains. The area is a graphic example of the evolution of mining in this particular section over the past 100 years. Remnants of Bohemia City such as the post office, the inn, and a few cabins still stand, defying the crushing weight of snow; and at other mine sites, mills, cabins, and bunkhouses stand in silent testimony of the activity that once was and again might be in the Bohemia Mining District.

It is the fond hope of those of us who have learned to know and love that area that it will someday bustle with life again, but if this can never be, it is our hope that the story of Bohemia will never be altogether forgotten.

Wild Old Days

(Continued from page 35)

concealed along the wings that a herd was on the way. Carrying torches, the two riders lit a series of smoky fires behind them as they advanced, frightening the antelopes into moving ahead, but keeping out of sight of them until the animals had entered the wings. Then they showed themselves, one going to each wing-end. If the antelopes, which had begun to run at the sight of the men, took the wrong direction, a pile of brush was set on fire to turn them. Finally the horsemen drove them at full speed toward the corral. After all had entered, the people stationed there for that purpose closed the entrance of the trap so that they could not escape.

The animals were killed with arrows, and the bodies dragged out through four "exits" corresponding to the four points of the compass. However, four antelopes (or a multiple of four if the drive had been a large one) were spared and released to the four directions to bring success to future drives.

Since this was the most generally used method of obtaining antelopes, the traps were used again and again and were kept in repair—except in one known case where the animals twice escaped, after which the site was abandoned. In spite of the use of wood from the traps by non-Indians (hunters, sheepherders, and the like), the remains of the antelope corrals, and even the wings, are fairly distinct, although out of thirty traps studied only a few had been used within the memory of living men. In some locations the walls are still standing more than four feet high. A tree ring date from one site is given as 1798.

Navajo antelope traps have been found in Colorado, New Mexico, Arizona, and Utah, as well as on the reservation. Apparently where the antelopes were, there were the Navajos, prepared to catch them.

JENNIE BIRDCHOPPER

By Charlotte M. Cox

I HAVE OFTEN wondered how Indians of eastern Oklahoma, formerly Indian Territory, could speak to white men, considering how they were pushed at bayonet point from their old homes back east, via the Trail of Tears, to the promised land of "abundance of wild game."

But the Cherokees of my home county, Delaware, in the northeast part of the state, are as intelligent and proud as any race, color or creed, yet strangely forgiving. Take little Jennie Birdchopper, for instance, who died March 25, 1965, at age 111. Jennie was down on the tribal roll as 108 but, according to a tribal representative, children were not always added to the roll until several years old.

Jennie lived in one of the most beautiful spots in the world, lovely Cloud's Creek Hollow. She had lived in the hollow, twelve miles southeast of Jay, for more than seventy-five years, in a small two-room hewn log cabin that looks as if it will last forever.

I visited Jennie on a soft spring day in March. Down, down and seemingly straight down, the road led past an old churchhouse, where Jennie walked a half-mile to church each Sunday, and across beautiful Cloud's Creek with its white pebbly-rock bottom, very clear and shallow enough for fording. Crossing the creek, we eased upon a little plateau, where the ancient cabin nestled among the pine-clad Spavinaw Hills.

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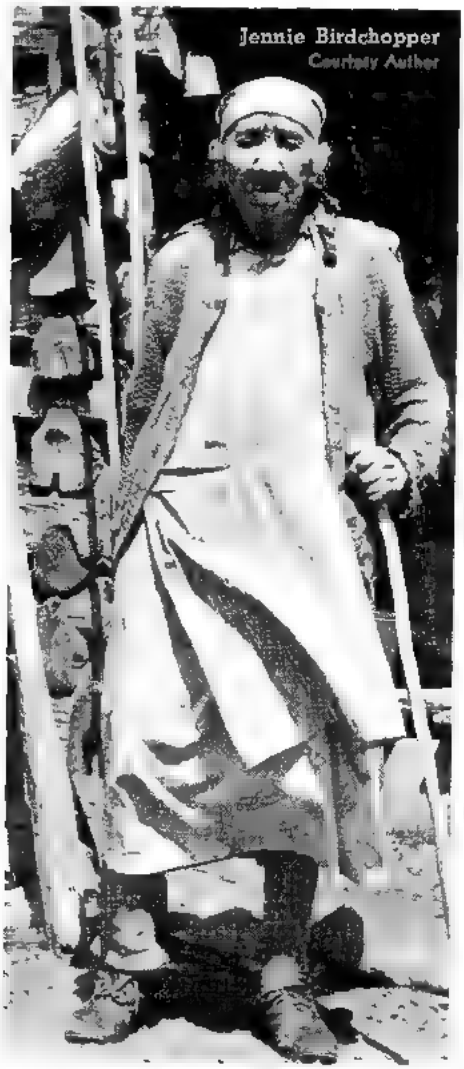
Jennie Birdchopper
Courtesy Author

Mrs. Johnson O'Field, the tribal representative's wife at Jay, accompanied me on the trip to Jennie's home, saying I wouldn't "get my foot in the door" if someone didn't go along whom the family knew. Jennie's family included her oldest son Mike, aged seventy-three, who was born in the cabin (as were the rest of her children), her sixty-six-year-old daughter, Lyla Cornshucker, her youngest son Noah, aged fifty-one, and three grandsons in their thirties.

When we drove up, Lyla was walking straight as a general, carrying a large zinc bucket of water in each hand, up a steep ridge from a nearby spring of water which never went dry. I knew there was no lack of meat for the large family's table, as twenty-two hounds lounged in the shade, and the Spavinaw Hills are alive with squirrels. I knew, because I was raised just fifteen miles from Cloud's Creek Hollow.

As the day progressed, I learned that Noah knew my father, a cattleman, whom the Cherokees accepted as one of their own. Though we only had a small amount of Cherokee blood in our veins, Papa had stayed all night at every home in four counties on his cattle buying trips. He was the only white man who was as one with the Indians when the Cherokees had their annual Stomp Dance on Illinois River, a few miles south of Delaware County.

Noah talked freely, but to start the talk in the general channel I had originally planned, Mrs. O'Field talked to Lyla, who in turn talked to Jennie. Jennie could not speak a word of English, but was sweet and humble, and very obliging in posing for a picture by her cabin-home.

One felt foolish asking the usual questions about to what she contributed her long life, still retaining her own teeth, not wearing eye glasses, walking, tending chickens, gathering wild onions for selling, and so on. But I felt it was a must to inquire about her favorite foods at least. Noah gestured toward the sound of a tinkling cow bell, and said "milk." Another said "whatever was handy," including seasonal foods such as the abundance of wild huckleberries and blackberries in the Spavinaw Hills, fish in the many streams, and their own chickens and garden. Who could ask for more?

Jennie was never sick. The postmaster at Colcord, Mrs. Ora Cockrell, said that up until a year ago, Jennie cleaned wild onions and brought them into town, a distance of six miles.

Under a federally sponsored sanitation program, a new sink and other utilities were brought down to Jennie's home. Also, a new frame house was built. The house was finished, ready for occupancy, but Jennie refused to move from her log cabin home where she had borne and reared her children, and where her husband had died more than forty years ago. The cabin, as did Jennie, personifies the old times when Delaware County was a part of the Cherokee Nation, with Tahlequah its capital.

He Helped Scalp Major Elliott's 21 Soldiers

(Continued from page 18)

sionary to the blanket Indians by the Methodist Church. Martinez was converted and became a full-fledged member of the Methodist ministry, West Oklahoma Conference.

The blanket Indians were known at that time as the Choctaws, Creeks, Seminoles and Kiowas. There were other tribes. When Rev. Methvin came to Indian Territory, he established the New Hope Seminary for the Choctaws, sixteen miles up the Arkansas River from Fort Smith, near what is now Spiro. That was in 1885.

Andres Martinez was a preacher among the Oklahoma tribes for approximately fifty years. This was not too unusual. Other Indians became outstanding ministers, such as Rev. White Parker, son of Quanah Parker, last chief of the Comanches.

Rev. Martinez was effective among the Indians. There was no reason why he shouldn't be. As a Kiowa medicine man, as an Indian who spoke the Kiowa dialect and sign language, the Indians with whom he came in contact had admiration and respect for this venerable old warrior.

"A" Troop's Little Secret

(Continued from page 41)

he knew nothing whatever about the lynching. He said the camp was quiet, and he must have been checking one of the other guard posts.

The murder and lynching were reported to the Adjutant General of the Army, and considerable correspondence followed between "A" troop's officers and the General Commanding the Department of the Missouri. Escorted by his grief-stricken companions, John Van Moll's body was taken to Fort Laramie for burial with full military honors. In later years, when the military cemeteries were moved, Van Moll was reinterred in Fort

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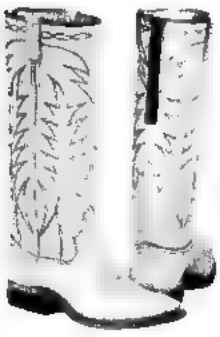

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McPherson National Cemetery near North Platte, Nebraska.

ON APRIL 14, 1878, four months after the murder at Silver Springs, General William Tecumseh Sherman wrote to Major Evans, the Third Cavalry commander, "The circumstances of this murder should be judicially examined. Primarily the sentinel should be tried by court martial for neglect of duty and the probability is that the testimony will give a clue to the perpetrators of this murder."

The charge against Nelson was "neglect of duty," and the specification read, "In that Private George E. Nelson, Company 'A' Third Cavalry, having been duly appointed and posted as a sentinel over a tent wherein was confined Private John M. Kennedy, Company 'A' Third Cavalry, and being charged with the safe keeping of the said Kennedy and directed to allow no persons to visit the said Kennedy, did, without giving alarm, allow a party or parties unknown to enter said tent between the hours of 9 and 11:30 p.m., and hang by a rope around the neck, passed over the ridge pole, the said Kennedy, until life was extinct.

"This in the camp of the expedition to the Black Hills of Dakota, . . . Wyoming Territory, December 14, 1877."

Nelson pleaded "not guilty" and the court found "the facts as set forth in the specification proven but attach no criminality thereto." And to the charge of neglect, the finding was "not guilty."

General Crook, upon reviewing the case found the court's decision in the specification "unwarranted." He wrote, "The offense set forth is a grave one, if sustained by the evidence, and the finding should have either been 'guilty' or 'not guilty.' The proceedings are approved but the findings and acquittal are disapproved. Private Nelson will be released from confinement and restored to duty."

The troop went into the field immediately after the General's review of Nelson's case, this time under the command of Charles Morton, who had been made Captain. Morton had written, in his report of February 26, 1887, ten years after the events, that "Corporal Taggart in charge of the Guard, and Private Nelson, sentinel over the prisoner when he lost his life, were suspected of complicity in the crime, if not the principals."

That was a suspicion which was never to be proved or disproved. On January 22, 1879, two years after the murder of John Van Moll and the lynching of John Kennedy, Troop "A", still patrolling Indian country, made a charge upon Dull Knife's band of fighting Cheyennes. The first two troopers to die in this fight were Taggart and Nelson.

Wild Goose Bill

(Continued from page 27)

During the year, 1893, Condon's Indian wife left him, and the man who hauled his freight down from Wilbur quit. Condon not only needed a new freighter but he needed someone to look after his house and his crippled son. He went to Wilbur and hired a man named Elwood to haul the freight, and while he was about it, he hired Elwood's daughter, Millie Dunn, to keep house for him. He immediately fell violently in love with her—and so did several other men, among them Jack Bratton.

Young white women were not too plentiful in the Big Bend at that time and Millie, who could have had her choice, made a mistake when she chose Jack Bratton. Not only did he skip out, that fateful January day, but it is ironic that immediately after the shooting he deserted her and left the Big Bend for good.

A settler took Millie to Wilbur where a veterinarian patched up her arm. She eventually married and left the country.

Bill had been married twice to Indian women when he met Millie. He acquired his first wife, Julia, sometime during the early Seventies. She was a Coeur d'Alene and at that time the Coeur d'Alenes were not much on intermarrying with the whites, but Condon wanted her and he talked her into eloping.

N. C. Durham's history of the Inland Empire says that four Indians were sent out to bring her back, but were never seen again. Condon, on his return to Walla Walla, had four new horses in his pack string, but his only comment was that he had picked them up on the prairie.

"Their former owners had no further use for them," he explained.

Condon's oldest son, who was born on the trail, used to tell about two Indians once following the pack train. Condon shot them both, but only one fell off his horse. This so angered Condon that he grabbed the wounded Indian by the hair and threw him in the river.

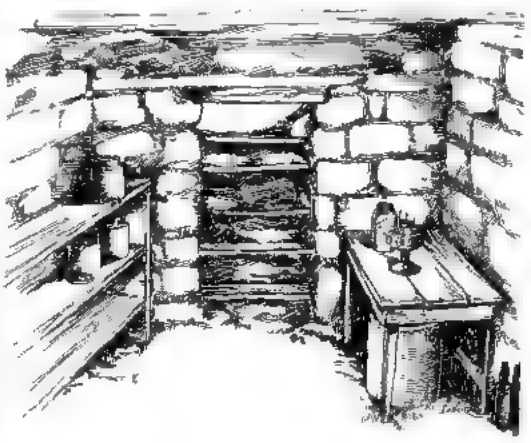
If Wild Goose Bill seemed ruthless and determined in affairs of the heart, these qualities were no less lacking in his other fields of endeavor. His ferry, and his historic road which wound its tortuous ways across the Coulee country—at times literally defying the law of gravity as it clung to the steep hillsides—are fast becoming a legend in north-central Washington.

The Prairie Cellar

(Continued from page 33)

of what was the original frontier homestead.

It's regrettable that the few remaining are not to be saved from a crumbling oblivion, because they deserve a place in the lore of Western Americana. I cannot overlook that certain aura of heroism which is evidenced in their fortress-like characteristics, for who knows how many early homestead families owed their lives to the protective sanctuary of those crumbling little dugouts? The story of the part they took in the development of the Great West is, I'm certain, deserving of at least, a passing salute.



a typical prairie cellar interior...

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WHAT DO YOU THINK

about the fight at the O.K. Corral? You'll be more capable of making a decision after you've read **THE FIGHT THAT NEVER DIES** in the November issue of **FRONTIER TIMES.** Writer Gary L. Roberts has taken actual testimony of some of the principals and witnesses, and incorporated it into this detailed story of the most talked-about gun battle in Western history.

WAS IT MURDER . . . OR JUSTIFIABLE HOMICIDE? READ "THE FIGHT THAT NEVER DIES" AND RENDER YOUR OWN VERDICT!

GOLDEN BONANZA LOST IN THE COURTS by Andrew J. McGuckin. This story sheds a lot of light on a little-known subject: hydraulic mining. While the miners were busy washing gold out of the hills above . . . they overlooked the fact that they were washing away the folks down below!

WAS THERE A COWARD IN THE ALAMO? by L. P. Teer. REMEMBER THE ALAMO! That battle cry has lived down through the years . . . but Moses Rose had little need of it for he was never permitted to forget the Alamo. No matter what his feats of bravery in the past . . . nor how diligently he worked to regain the respect of his fellowmen, not once did they allow Moses to forget that he had turned his back on certain death and walked away from the Alamo and the gallant men who chose to fight until death to defend it.

DEATH RODE THE BRUNSWICK ROAD by Raymond W. Thorp. It's strange that a couple of pale hands in London could slip the knot of a noose swinging from a tree limb in Missouri—but that's what happened.

KING OF THE OSAGE NATION is Milt Hinkle's rollicking report on his long-time friend, "that great but ornery 'Okie-lander' who was as good as the best of them and wore the hair on the outside"—the mighty Henry Grammer!

A captive boy must learn to turn his fear into anger. That was the first lesson a young boy had to learn in the story, **I WAS KIDNAPPED BY GERONIMO,** by Manuel M. Quihuis as told to Lelia DaVine Quihuis.

QUARTER-SECTION FEVER by P. C. Chandler. Those free blocs of land dangled before men like carrots on the end of a string. It was the proving up that made the adventure wear thin!

To watch your kin die one by one—to be deserted in a foreign land—to have the simplest comforts of the body and of the soul all taken away at once—these were the **HARDSHIPS OF A GERMAN FAMILY** by Bernard Monken.

HOLD THE FORT, BOYS! by Jase Ward. Tom Ward was among the best cattlemen in the Dakotas . . . but he might never have got his start if it hadn't been for an assist from a band of "hostile" Sioux.

ALSO IN THIS ISSUE: **THE DESPICABLE SAM BROWN** by Daniel L. Reardon, **THE EVIL SPIRIT OF "CHEEKA"** by T. W. Paterson, **WHY OLD JOHN SELMAN DIED** by Leon C. Metz, **CHRISTMAS AT END OF STEEL** by Joe Montgomery as told to Gunnar Mickelsen, **CHIZ, A TOWN OF TRUCE** by David Cushman, **OLD-TIME WEATHER PROPHETS** by Phil S. Long, **THE STONE AND KELSEY MASSACRE** by Marc Peterson, **WORLD'S BIGGEST HAND-DUG WELL** by Irven L. Corder and **WHERE A SPARROW FELL** by Stuart J. Crawshaw.

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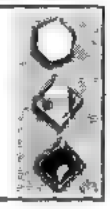

WESTERN BOOK ROUNDUP

By The Old Bookaroos

RANGE LIFE

A Stove-up Cowboy's Story (Southern Methodist University Press, $5) is the second printing of J. E. (Texas Slim) McCauley's matter-of-fact recollections of fifteen years of life on the range. The first printing was a volume in the "Range Life Series" under the general editorship of J. Frank Dobie and was issued in 1943. The fine introduction by John A. Lomax and the highly appropriate drawings by Tom Lea that appeared in the first edition are present in the reprint. The one addition is an "Afterword" by Carl Hertzog, who designed and printed the first. Carl tells of the instructions he received from Frank Dobie, "Don't change a word, not even a comma." Carl didn't and he concludes that "Everything about this book is natural. . . ." and this Old Bookaroo agrees. Strongly recommended.

HISTORY AS YOU LIKE IT!

Indian Wars of the U. S. Army (1776-1865) (Monarch Books, 75¢) is a nicely done reprint in pictorial wraps of Fairfax Downey's great historical survey. Seldom has so much been packed into a pocket-sized volume. Downey, a veteran of World Wars I and II, firmly established his reputation as an authority on the Indian wars with a book issued between his periods of active service. This was the modern classic, *Indian-Fighting Army*, that covered the years of final conquest immediately following the Civil War. The present volume covers the Indian fighting during the Revolution and the Civil War and in all the years between. The accounts are of necessity brief but each is a little gem. For understanding of the reason for the various Indian Wars, a pen portrait of each war chief, an objective appraisal of the Army leaders and succinct reports of action, this volume cannot be improved. It is enhanced with sixteen pages of pictures and a lengthy bibliography. Recommended and the price is right!

SPANISH OUTPOST

Robert S. Weddle's *The San Saba Mission: Spanish Pivot in Texas* (University of Texas Press, $5.00) is a story of frontier mismanagement on the part of the Spanish. The desire to expand their empire in the Southwest led to the building of a mission and a fort on the San Saba (near the present site of Menard, Texas) in 1757. This was far out on the frontier of that day and remote from other Spanish settlements. The Mission was an affront to the war loving Comanches, the enemies of the Apaches who made occasional use of the Mission without being converted. The author, editor of the *Menard News*, does a good job of bringing to life the priests and soldiers stationed at this remote outpost. The Comanches let the mission stay almost a year before swooping down and destroying it. The soldiers at the fort remained another bloody twelve years before the vacillating Spanish policy resulted in pulling back the missions and forts to San Antonio. There is a good bibliography and an index plus four maps. This is a worthwhile contribution to the history of the Spanish era in the Southwest.

SOUTH OF THE BORDER

The Lost Cause: The Confederate Exodus to Mexico (University of Oklahoma Press, $5.95) is by Professor Andrew F. Rolle of the Occidental College history department. It is based on much research in Mexico and in our own archives and is the best account to date of the post-Civil War period south of the border. The author estimates that at the height of this madness eight to ten thousand Confederates were in Mexico including General Jo Shelby (this reviewer's grandfather was a dispatch rider for General Jo but did not accompany him to Mexico—he was already in his grave at old Blue and Boggy Depot in the Indian Territory). General Jo never surrendered and led the remnants of his Missouri troops across Texas into Mexico—he was joined at San Antonio by other Confederate officers and officials. The battle worn troops found no peace in Mexico—the Mexicans had revolted against the French puppet emperor, Maximilian. There were bandits and heat in addition to war but as more and more Confederates arrived, a start was made in the new land—the Colony of Carlota. The rise and fall of Carlota and the affairs of such Confederates as General Sterling Price, Commodore Matthew Fontaine Maury, quarrelsome Governor Tom Reynolds of Missouri and Henry Wallace Allen, Governor of Louisiana and founder of the English language *Mexican Times* enliven the book. A few stayed but most of the Confederates came home as did those who fled to Brazil, Chile and Canada. The bibliography is extensive and there is an index. The book is also enriched with photos of the most prominent officers and officials to make the try below the Rio Grande. Highly recommended.

MEN AND FURS

The fur hunters preceded settlers in development of the United States and brawny men like Lisa, Coulter, Ashley, Hugh Glass, Bridger, Jed Smith and a legion of others trapped the West and became the legendary Mountain Men. These early American businessmen, explorers and pathfinders now have an extraordinary new book series dedicated to them. The first in the series is *The Mountain Men and the Fur Trade of the Far West* (The Arthur H. Clark Co., $10.00) by the prolific western writer, LeRoy R. Hafen, State Historian of Colorado, Professor Emeritus of History, Brigham Young University.

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The last half of the book contains brief biographies of about twenty mountain men, many of them little known before. Chapters are by well known modern historians, such as Ann W. Hafen, Merrill Mattes and Ray H. Mattison. This volume is the first of six or more to be published at intervals of six months. The series will contain biographies of about 400 Mountain Men written by fifty qualified scholars. This heroic undertaking will be worth the money.

FOR MAN AND BEAST

Salt is more important to us than gold or diamonds but little has been written about it. Use and history of salt throughout the ages is the subject of an interesting book –*The First Book of Salt* (Franklin Watts, $2.65) by Olive Burt. Salt is required in human and animal diet. Providing it for these and other purposes has been a continuous problem throughout the ages. Evidence of salt making have been found in the cultural remains of early man. In areas of scarcity, salt was a symbol of wealth as only the rich could afford what they wanted. Under such conditions it was used as money for exchanging goods in commerce. In legends it was considered an omen of bad luck by some and as a token of good luck by others. Many tribal deities were either salt men or salt women. Providing it for human and industrial uses has become a huge world industry that Olive Burt describes in her interesting book. This story about salt, with its clear incisive prose and excellent illustrations, should appeal to readers from the seventh grade up.

INDIAN LEGENDS

The Story Telling Stone (Dell, 60¢), edited and with an introduction by Susan Feldmann, brings to lay readers a rare collection of Indian folklore tales. Here are myths and handed-down stories that tell of the creation of the earth and animals and mankind, the theft of fire, the great flood and the evolution of human culture, as well as adventures of Indian heroes in their familiar environment. The stories are grouped to show how the same story is handled by different tribes. Use of the same tale often varies between tribes as it relates to heroes, Gods, supernatural beings, love, marriage, hate, jealousy and magic. Recommended.

Vinegarroon

(Continued from page 40)

Ranch owners cooperated with each other in these shearing operations, crews of several ranches joining with one owner and completing his shearing in perhaps a single day, to move on to the next flock. This was especially so among the smaller operators whose flocks headquartered at Langtry. A day was set for opening the season.

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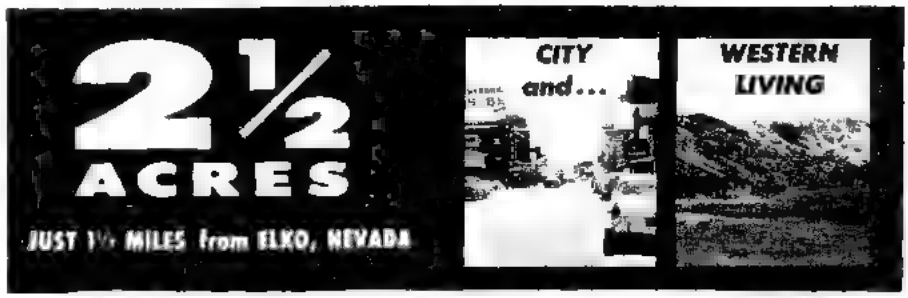

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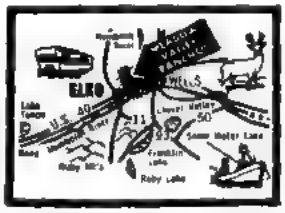

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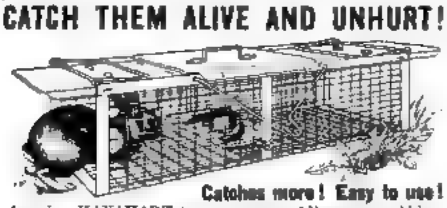

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to the merriment down at Torres'.

By ones and pairs Jersey Lilly customers departed to heed the strains of the tantalizing music. Not only did the transient sheep-shearers fail entirely to patronize the Bean bar but within a few days regular trade dropped to its lowest ebb in months.

This action on the part of Torres was a clear case of contempt and skullduggery, and Judge Bean proposed to do something about it. He took counsel with his friend Dodd.

"It ain't right, Billy," he declared. "It ain't justice that all this beer I've bought should set here undrunk. It ain't business economy, and it ain't accordin' to the *Revised Statutes of Texas*. By gobs, I'm goin' to put the law on Torres!"

ROY dispatched Oscar Sweeden and three cowboys to arrest Torres and hale him forthwith into court.

Jesus obeyed the summons without resistance, for evidently he had foreseen such a move on the part of Bean. He brought along with him a border patrol inspector who had never forgiven old Roy for pulling the short-change trick on him the day he landed in Langtry. The inspector claimed a smattering knowledge of law and presented himself at Judge Bean's court as counsel for the defendant.

"What's the charge against my client?" he demanded in a dignified tone.

"Disorderly conduct," Bean shot back, "and ag'in you, too, if you try to pull anything in this court!"

"I demand a jury trial," the pseudo-lawyer put in, "and if the jury returns a verdict against my client, we'll appeal to the district judge."

His Honor glowered at the lawyer through squinted lids. "This here is one court where the decision is final and from which there ain't no appeal. I'll remind you that I'm the Law West of the Pecos and as such, the court of first and last resort!"

The lawyer then insisted that a record be kept of the proceedings. Grudgingly, Bean pressed Dodd into service as court clerk.

The inspector, with his smattering of law, was getting the better of the judge in frequent tilts. Finally, in exasperation, Bean raised up his copy of the *Revised Statutes of Texas*.

"What you say don't sound like good law to me; but, mebbe, like you claim, it's in the book. I'm goin' to tear it out!"

The case went to the jury.

It was a rare thing, indeed, for a Langtry jury to disagree; for Judge Bean had taught his prospective jurors long ago that to hang a jury was an act of contempt. On at least one occasion he had thrown his gun into the face of an obstinate talesman and demanded that he agree with the rest of the jurors or suffer the consequences. He readily reconsidered.

Any juror who failed to patronize the bar during the brief intermissions also was considered in contempt; and if he persisted in such effrontery, he simply was not eligible in the future for jury service.

In this particular case, the jury did that rare thing. It disagreed. And what was still more rare, the disagreement met with the hearty approval of the presiding judge. After the case was settled and the opposition had had time to think over the proceedings, especially the hung jury and Judge Bean's ready acquiescence, there were mumblings on the part of Torres and his counsel that possibly the jury had had private instructions from the bench.

At any rate, Judge Bean was pleasingly passive in his attitude toward the hung jury. During the course of the trial he had been conferring with his friend Dodd in regard to the possible turn of the case. They had come to a private decision that, regardless of the jury's verdict, Torres could not win. The hung jury made the course easy.

"Jury discharged," His Honor intoned. He turned to Torres and his legal advisor. "By gobs, Torres, you s-o-b, this government man's been defendin' you illegal and contrary to the Constitution of the United States and the *Revised Statutes of Texas*. If you and him hanker to plead guilty to that charge, I'll be lenient. I won't fine you but twenty-five pesos. But if you don't, and choose to fight the case, I'll fine you the limit; and this court ain't got any limit!"

Mention of the Constitution of the United States had a sobering effect upon the legal mentor. Knowing in his own mind that he had no right to practice law, even before a court of questionable legality, or enter into local controversies in his position as federal border patrol inspector, he did not wish to pursue the case further. He called his client aside and conferred, while the court hangers-on refreshed themselves at the bar and sought bets on the outcome of the case.

Torres and his advisor appeared at the conclusion of the recess and announced that they were ready to accept the fine.

"The Court accepts yore plea and fine under certain reservations and conditions," Bean replied with coldness. "Yore dancehall wenches are an effront to the decency and decorum of the fair city of Langtry, Texas; and that sorry noise you call music disturbs the peace and quiet of the whole community. Why, even the goats don't like it!" He squirted toward the spattered cuspidor halfway across the room. "So it is the verdict of this court that you get rid of both the gals and the alleged music and run yore joint along the lines of accepted decency and ethics."

A COWBOY prodded his shying mount to a post at the end of the Jersey Lilly and dismounted. He held a tow sack in his arms, and inside the sack there was a squirming, snarling bulk. The cowboy pushed the bulk from him and snorted as something sharp jabbed his skin.

Gripping the top of the sack in one hand and straining to hold it out from his body, he twirled the bridle reins around the post.

He beat the dust from his large brown Stetson, placed it back on his head at a slight tilt and strode inside the saloon, still holding the sack in an extended position.

Inside the saloon he cautiously untied the top of the bag, grasped the two bottom corners, lifted the bottom up and shook. A snarling bundle of brown hair and glittering teeth tumbled out on the bar.

"How much yuh give me for this pet cub?" the wrangler propositioned.

Momentarily Bean's eyes bulged. Oscar expressed his extreme fright in Scandinavian and dived under the counter. "Did you say a pet cub?" Roy asked quizzically.

"Well," the cowboy defended, "he could be trained. He's a little awkward now, on account he's around strangers; but he'd get used to yuh. I bet he would."

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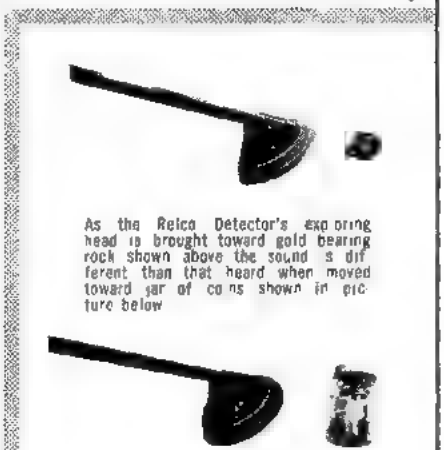

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The judge had an inherent weakness for pets. Already he had a raccoon caged at the rear of his saloon, and two fox squirrels lived in a mesquite no more than a dozen yards away, practically domesticated by Bean's attentions.

Bean ventured out his hand and touched the outraged cub on the head; yanked it back as the animal snarled. "Give you eight bottles of beer," he offered.

"That's downright insultin' to little Sarsaparilla," the range man protested. "He's worth eighteen bottles or nothin'."

"Give you a flat dozen and not a drop more. Take it or leave it," Bean bartered.

And so Roy Bean came into possession of Sarsaparilla, the brown bear which soon became an important character in the life of Langtry and the Jersey Lilly.

Sarsaparilla responded quickly to Bean's gruff kindness. At first Roy caged the rowdy cub near the raccoon, but he soon outgrew the small cage.

Then he had Oscar to make a fancy leather collar, studded with brass. He fastened this around the cub's neck and attached a light chain to it. Thereafter he kept the bear chained at night to the head of the bed where he slept.

With his quaint business sense, Barkeeper Bean soon recognized in his new pet a peculiar but highly practical business asset. He noted the growing interest of visitors in the bear; and henceforth he began tying Sarsaparilla during the day to a post of the gallery, so that persons getting off the train or passing along the dusty street in front of the establishment would see him.

"Shay!" muttered a traveling salesman from El Paso in thick-tongue voice, "I wanna buy Sarsapr'la a drink." Although he had noticed the bear earlier in the day, he now eyed him with that peculiarly renewed interest which comes, for no apparent reason, to the queer-working mind of one well under the vagaries of forty-rod.

The rest of the customers laughed, but the salesman took the matter in deadly serious mood. "We'd all oughter 'pologize to Sarsapr'la for slighting him these many hours. It's not polite, gennelmen. I'm gonna buy 'im a drink! Say, Judge, how 'bout a beer for Sarsapr'la?" He planked down a fifty-cent piece and pounded his palms on the bar.

Bean's mischievous blue eyes twinkled. "He's kinder partic'lar who he drinks with; but you can try 'im," he said in mock seriousness. He opened a bottle of beer and passed it across the bar.

The salesman gripped it uncertainly and weaved out to the porch. "My 'pologies, Señor, a thous'nd times. Here, have one on me." He plodded up to the unimpressed Sarsaparilla and, hunching down on his heels, extended the beer. He half toppled over, upsetting the bottle.

To the amazement of the bear's owner as well as the spectators, the animal sniffed the liquid approvingly, then tasted it. Thereafter he began lapping it up from the floor with obvious enthusiasm.

The salesman then extended the neck of the bottle. The animal sniffed, licked the top of the container, then guzzled with the expertness of a reprobate as the drunken salesman upturned the bottle.

Tales of the beer-drinking bear filtered through the sagebrush to the farthest corners of the Pecos domain, and along the modern lines of communication to the centers of Texas commerce. Time came when practically every stranger in Langtry sought out Sarsaparilla and tested for himself the amazing stories he had heard. This meant extra business for the bar, and Bean's love and appreciation of the pet grew apace.

Eventually it became apparent that Sarsaparilla had an insatiable appetite for the amber fluid; and what was more, he could carry his drinks more gracefully than any man at the bar.

This led to frequent bets. Natives, prompted in many instances by the wily Bean, would inveigle strangers into betting that no man could drink more beer, and walk straight, than Sarsaparilla. No man who backed the bear ever lost a bet. On the other hand, natives collected considerable extra change, and barkeeper Bean sold a lot of extra beer.

CHAINING the bear to the bedpost at night became almost a superstition with Judge Bean. He knew he had enemies. He had no fear of any man in the open, but the thought of an unscrupulous enemy in conspiracy with the curtain of darkness gave him a vague sense of loneliness. He found comfort and a feeling of protection in the bear, now grown and vicious toward persons who did not meet his favor. Bean felt that any intruder or prowler would be detected quickly by the bear and ample warning would be given in time for personal protection.

This superstition grew when, on one occasion, the fretting of the animal one night induced Bean to move his bed across the lean-to from its customary

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position. Late that night a rifle report roared Bean out of his slumber. He leaped out of bed, seized his two revolvers and sprang to the window. He fired twice at the cracking of mesquite brush fifty yards down the railroad track. Next morning he examined the room and found a bullet hole in the wall directly behind the spot where his head would have been had he not moved his bed at the instigation of Sarsaparilla's fretting. He told his friend Dodd that he believed the bear had some sort of premonition of that attack.

Bill James, a San Antonio lawyer, stopped off at Langtry between trains and walked over to the bar. The lawyer tendered a twenty-dollar bill to pay for two bottles of beer. Barkeeper Bean, noting that he was a stranger, pulled the usual short-change trick on him. When the lawyer protested, Judge Bean removed his apron and convened court.

"You're under arrest for disturbin' the peace, abusive language and contempt of court," he spoke severely, "and I fine you six dollars and sixty-six cents on each count. The two bottles of beer are on me," he added grandiloquently.

The lawyer's face reddened and he proceeded to unburden his thoughts in terms familiar to the environs of the Jersey Lilly. Judge Bean possessed a deep sense of appreciation for picturesque profanity, especially if it were interspersed with legal terms. His eyes brightened; his lips parted in a loud laugh.

The San Antonian finally recognized the humor of the situation and began to smile. Although Bean did not return the confiscated twenty, he did order repeated rounds of drinks on the house; and before the visitor's train arrived, he and Bean had become fast friends.

The lawyer seldom missed an opportunity to drop off at Langtry, when on a trip west, to visit with Judge Bean. On one occasion, Bean visited in James' home at San Antonio. Yet James never forgot the trick Bean pulled on him during that first visit, and he never faltered in his vigilance for an opportunity to even that score.

One day on his return from El Paso, James stopped off at Langtry, as usual, and was told by Oscar Sweeden that the judge had gone to San Antonio on one of his infrequent excursions away from home. James walked over, treated Sarsaparilla to a bottle of beer, and a queer light came into his eyes.

"When'll the judge be back?" he asked.

"Oh, ya know the judge. Maybe tomorrow; maybe next week," Oscar answered in his resigned way.

Arriving in San Antonio, the lawyer immediately hunted up Judge Bean, pretending to meet him casually and accidentally. "By the way," he said a little later, "I was certainly sorry to learn that Sarsaparilla had died."

Bean's eyes widened. "What you mean —Sarsaparilla died? He's not dead."

"Yes, I'm sorry to tell you, he is. I was through Langtry yesterday. He had just died."

Bean was visibly moved. "I feel like I've lost one of my best friends," he muttered.

"I can understand," James consoled. "And I liked Sarsaparilla myself. And I'm going to ask you a favor, for that reason. I'd like to have the bear's hide mounted and set up in my den as a reminder of many happy visits to the Jersey Lilly. Would you mind very much?"

Bean pondered for a moment. "That's downright thoughtful of you, James. Shore you can have the hide. Don't know of nobody I'd ruther give it to."

James suggested that they go to the telegraph office at once and wire Oscar the necessary instructions. James wrote the following message to Oscar Sweeden and had Bean sign it: "Skin Sarsaparilla and ship hide to Bill James, San Antonio."

Of course Oscar puzzled a long time over the orders, but under the critical training of the Law West of the Pecos, he long ago had learned never to question anything Bean told him to do. With a puzzled shake of the head, he went out, shot the bear and proceeded to carry out his instructions to the letter.

THERE was no trace of fear in the make-up of Roy Bean, but he made no outward show of bravery. He never rushed unreasonably into danger.

Soon after he moved to Langtry and set up his temporary shack on the railroad right-of-way, he became involved in a personal difficulty with Steve Capps in a poker game. Capps drew one card to fill a heart flush. Bean drew two cards and raised twenty when Capps bet five dollars.

"There's my pile!" Capps exploded, shoving out a little less than a hundred dollars.

"By gobs," Bean countered, "when an hombre's that proud of a hand, I'm a feller that 'ud like to see it." He called.

Capps proudly displayed his heart flush and started to reach for the pot.

"Just a little shy," Bean interrupted. He laid down two aces and three queens.

Capps leaped to his feet, his eyes blazing. "Full house on a two-card draw looks kinder loco to me, maverick!"

Bean's six-guns came up, a flick of an eyelash ahead of Capps' draw. "You can apologize now," he said evenly, as his fingers rested on the triggers.

A weak grin came to the corners of Capps' sagging, pallid lips. "Musta lost my head for a minute," he muttered, without conviction.

Bean forthwith forgot the incident and resumed his friendly attitude toward Capps. They occasionally played in other poker games, and Capps was a regular patron of the bar. But apparently Capps could not forget the incident. He knew he had been backed down and the thought smouldered in his mind.

Five years later that feeling reached a climax. It was another poker game—on a drizzling, cold January night. Bean, Dodd, Capps and another player sat around a poker table in the Jersey Lilly. Capps had been drinking since early afternoon and was in a nasty mood. He had made two or three remarks to Bean veiled with insinuation.

Roy glanced around the corner of the table at Capps and a peculiar light came to his eyes. He called Oscar over and whispered to him. Oscar went outside.

A moment later there was a commotion—the sound of hoofs on rocky soil, the snort of a horse. Capps, recognizing his own animal, got up and hurried out. Dodd and the other player took advantage of the brief recess to stretch their legs.

Five minutes later the game resumed. The third hand simmered down to Bean and Capps. Bean won with a flush against Capps' straight.

"You won't get away with it this time!" Capps roared, thick-tongued. His right hand stroked downward to his chair. He half crouched and kicked the

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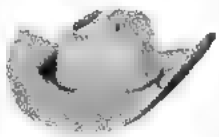

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chair back. The muzzle of his six-gun flashed above the edge of the table.

But again Roy Bean was ready for him. He sat half-reclining across the table, both guns pointing unerringly at Capps' heart. "A little slow on the draw ag'in," he said quietly. "Better holster that toy pistol of yores, by gobs, before I get mad!"

A look of futility came into Capps' face. Haltingly he pushed his gun into the leather holster at his side. He shoved his money into his pocket and, without a word, strode out.

"I'm powerful glad you didn't plug him," Billy Dodd said later, "but for my life I can't see why you didn't. He's been asking for it for years. You had the drop on him, with every legal and moral reason to shoot."

A wry grin came over Bean's round face. "I didn't want to kill the polecat. Just wanted to show him ag'in who's boss around here. Sorter wanted to call his bluff and let him see he ain't as tough as he thinks he is. And, besides, his gun wasn't loaded. I saw it in the chair at his side and knew he figgered on startin' somethin'. So when he went out, I just reached over and took out the cartridges."

WHEN Judge Bean went to Del Rio, he checked his guns at the hotel until he was ready to depart. Considerable animosity gradually had developed between the fee officials of Val Verde County and Bean, because they were not receiving what they considered their legal share of the fees of Bean's court. Judge Bean was keenly aware of this situation and felt that if given an opportunity, these officials would make the most of the situation. Although most citizens went armed in Del Rio and nobody thought anything of it, technically it was a violation of the law to carry a gun. Bean did not propose to lay himself open for arrest and jail by carrying his.

He strode into a saloon, worked his way toward the far end of the bar where there was more space, and ordered a beer. He had been there only a few minutes when a loud voice just outside the swinging doors reached his ears.

"Where's that s-o-b Roy Bean?" it shouted. "I heard he was inside there. The lowdown, thievin' coyote. I'm gonna fill his carcass so full of lead he'll look like a sinker on a whale hook!" He flung his body against the swinging doors. The doors bulged inward.

Bean automatically reached for his guns. Realizing that he was unarmed, he glanced over his right shoulder. A rear door was ajar and he dived for it. He did not slow down until his boots touched the dust of the next street.

The cowboy came on into the saloon and suddenly the gang burst into loud laughter; but, of course, Bean did not hear it. The range rider had been a victim of one of Judge Bean's "jail" sentences and had contributed materially of his hard labor in the construction of the ice house. When he heard that Bean was in the saloon unarmed, he sensed an opportunity to even the score. He had no intention of shooting, but of course The Law West of the Pecos did not know that.

News of the trick spread and within an hour, it reached the ears of Bean. He hunted up the cowboy and led him and all his friends back to the same bar and ordered drinks for the house.

"Hell!" he admitted, "I ain't in no hurry to cash in my chips. When I hear an hombre talkin' 'bout seivin' my carcass, why, if I ain't got anything to use ag'in him, I'm willin' to make tracks. And, by gobs, I made 'em purty fast outer here!"

A Mexican boy named Galvan, who formerly sheared sheep for Rancher Bean was accused of murdering the German consul at Del Rio. On a change of venue the case was up for trial at Eagle Pass. The defense summoned Bean as a character witness.

Judge Joseph Jones of Del Rio, a close friend of Bean's for many years, was special prosecutor. Many times Judge Jones had been a spectator at the Langtry court and had drunk at the Jersey Lilly bar. He felt that witness Bean's testimony would be especially favorable to the accused, even if it should be necessary for the witness to twist the facts a little. He knew Bean would do anything within reason to help an underdog in trouble. He knew, also, that Bean angered quite easily under certain circumstances. He considered his only recourse was to anger the witness and thus cause him to discredit himself in the eyes of the court.

"What's your name?" Judge Jones asked very formally.

"Roy Bean."

"I'm sorry, sir, I didn't catch the name."

Bean glowered at him. "Roy Bean, of Langtry."

"Oh, yes, I believe I've heard of you," Jones returned. "You're the fellow who calls himself the Law West of the Pecos; the self-styled judge who fined a dead man $41 for carrying a pistol, are you not?"

Bean's naturally reddish cheeks turned crimson. His blue eyes narrowed. "By gobs, if I knew this here judge a little better," he exploded, cutting his eyes toward the presiding jurist, "I'd answer that question for you, you goldam double-crossing polecat!"

ROY BEAN walked briskly over to the depot and sought the aid of the ticket agent in writing a telegram. When the message finally was completed, it was directed to Dan Stuart, the Tex Rickard of his day, and read as follows: "Invite you to hold Fitzsimmons-Maher fight in Langtry. I am Law West of Pecos and guarantee protection."

Stuart had signed up James J. Corbett, holder of the world's heavyweight championship, to fight Bob Fitzsimmons at Dallas. The ring of hammers signaled the start of work on a large stadium in which to hold the fight, but Charles Culberson recently had been elected governor of Texas on a "reform" ticket, and he calculated that prizefighting was not a part of reform. Hence he called a special session of Legislature for the sole purpose of enacting a law to prohibit prizefighting in Texas. On the second day of the session the Governor's bill became a law, and the legislators went home.

Fitzsimmons was at Corpus Christi, training for the bout. He gave out an interview in which he accused Corbett of sponsoring the bill so that he would not have to go through with the fight. Corbett retaliated by accusing Fitzsimmons of selecting Corpus Christi as training headquarters, so that if the fight plans really materialized, he could take to sea without ado.

Several other cities outside of Texas were considered, after Dallas had been eliminated by the Culberson law. Nueva Laredo seemed a likely place; but President Diaz, out of respect for Texas and the United States, forbade the fight there. A hastily enacted law by the fed-

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eral government forbade prizefighting in the Indian Territory, when Ardmore was considered as a scene for the battle. In turn, anti-boxing laws were passed by other states and a general wave of resentment against prizefighting swept the country.

Things looked bad for Promoter Stuart. But just when everything seemed darkest, the mayor of Hot Springs, Arkansas, wired an invitation to hold the fight there. In spite of the statement of the governor of Arkansas that no prizefight would be permitted in that state, preparations went ahead. The governor had added to his statement that he would not ask for special legislation, however, if they attempted to hold the event on the capitol grounds; and that reassured the sponsors.

Corbett opened training headquarters at San Antonio, while Fitzsimmons remained in Corpus Christi. They continued to lambaste each other in most colorful terms, yellow being the predominating color.

Steve Brodie had been engaged to referee.

Upon his arrival in Arkansas, Corbett was arrested and charged with conspiracy to assault Bob Fitzsimmons. The governor ordered out the militia to prevent the fight. Disgusted, Corbett announced his retirement from the ring forever, but he declared that Fitzsimmons had no right or title to the belt, because of his general behavior in connection with the proposed match. He proposed to set up the championship belt and invite Peter Maher, champion of Ireland, and one O'Donnell, to fight for it. Corbett announced that he would remain in Hot Springs until after the date originally set for the fight, so that Fitzsimmons could not show up and claim the championship by default.

When Fitzsimmons crossed over the line at Texarkana, he was arrested and charged with conspiracy to assault Corbett. Both fighters were released, however, and a few days later accidentally met in Hot Springs in a hotel lobby. In view of the numerous threats each had made against the other, spectators expected them to come to blows the moment they saw each other. Instead, they merely made scornful faces at one another as they passed.

Maher and O'Donnell met in Nevada in a little-publicized match and Maher won easily. He then proposed to take on all comers except Corbett, stipulating that he had a preference for Mr. Fitzsimmons, who had licked him three years before.

With public interest working up to this prospective scrap, Promoter Stuart got busy again. He wired the respective managers that he at last had a spot where the bout could be held without interference. He stipulated that this place was "near El Paso." Up to this time El Paso had been a sort of "Law West of the Pecos" on a municipal scale, making and breaking its own laws more or less at will; and Stuart saw no reason why Texas law should affect this boisterous border city.

Considerable national interest insured a successful fight. Plans went ahead, with the exact scene of battle veiled in secrecy. "Just buy a ticket and stick around El Paso; we'll lead you to the fight when the time comes," Stuart told inquirers.

However, thirty-six hours before the scheduled date, three companies of Texas Rangers rode into El Paso with the announcement that there would be no fight.

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At the same time, several companies of Mexican soldiers massed in Juarez, across the Rio Grande from El Paso. Deputy sheriffs patrolled the border between Texas and New Mexico, and a company of militia assembled in the eastern corner of Arizona, to guard that state against the fight invasion.

Things looked black indeed for Promoter Stuart. And then Judge Roy Bean's telegram arrived.

He immediately accepted the offer and moved about in mysterious manner to inform ticket-holders to be at the depot at a designated hour.

IN THE meantime, Impresario Bean was not idle. He dispatched a telegram to San Antonio, ordering a carload of beer. He enlisted the whole citizenship of Langtry to bedeck the town in holiday attire.

On the morning of February 21, three special trains arrived; two from El Paso and one from San Antonio. It was a gala day for Langtry and the Law West of the Pecos.

Wily Bean purposely scheduled the fight for late afternoon, so that the followers would be required to spend several hours in Langtry before the show, and that meant liberal patronage of the Jersey Lilly. The price of beer was a dollar a bottle, a fifty-cent increase in honor of the occasion.

Plans had been conducted in such secrecy that state officials were caught unaware. The best that the governor could do, when he finally learned of the new plans, was to order two Rangers who happened to be in San Antonio, to Langtry. They came in on the fight special.

"Sorry," they told Judge Bean. "You can't hold the fight here."

But Bean merely smiled. "If you gents like a good scrap, stick around," he told them.

Mexican laborers carried cross ties and scrap lumber on their backs to the edge of the blue-green Rio Grande. Another crew rolled empty beer kegs down to the river. Hastily they built a pontoon footbridge across the shallow Rio, using the empties to float the light structure.

Bean had selected a sand bar on the Mexican side as site for the "ring." Directly beyond was a bench, grass-covered, and from ten to twelve feet higher than the bar. This formed a natural "grandstand." Ringside patrons could stand up and watch the fight, yet those on higher ground could have a clear view of the ring. North of the ring they stretched a mildewed canvas to cut off the view from the American side.

Old Roy moved about with confident mien. The Rangers were helpless to do anything. The spot on the Mexican side was fully two days' march from the nearest Mexican military post, and almost as far from any Mexican town. Hence there was no possibility of interruption from authorities over there.

At the appointed hour Bean appeared from his lean-to in his finest Sunday attire. His beard was freshly trimmed; his suit was pressed and his old Stetson bore a fresh crease and was free from dust.

"Follow me, gents. By gobs, the fight of the century's about to commence. Seats and beer for all, folks!" He waved his hand and strode down the gentle slope toward the Rio Grande as one who appreciates his position as the center of attraction. Oscar and several temporary helpers, pressed into service and paid in beer, followed with beer cases on their backs.

There was a slow, cold drizzle sifting down upon the scene of this strange world's champion prizefight; but, well fortified with beer and red-eye, spectators did not mind. Nor did they complain of the crude accommodations at ringside, in spite of the fact that ringside customers had paid twenty dollars for their seats.

The Rangers, ranch hands, outlaws and Mexican laborers gathered on the bluff overlooking the Rio Grande on the Texas side, and in spite of the canvas, had a clear view of the ring. A few straggling Mexican vaqueros peered down from the high sandstone cliff on the Mexican side at the strange spectacle before them.

Fitzsimmons, adorned in light green striped tights, climbed into the ring and the crowd roared a welcome. In one corner of the ring a kinescope, the marvel of the age, ground out moving pictures of the challenger. Maher stepped into the ring. The machine continued to grind.

Referee Siler called the combatants into the center of the ring and gave them brief instructions. A hammer banged against the bottom of a tin waterbucket sounded the starting bell. The big fight for the world's championship finally was a reality; and Roy Bean took pride in the part he had played in making it possible.

The two fighters sprang to their feet and met near the center of the twenty-four-foot ring. Maher bored in, snapping his fists like a buzz-saw. They went into a clinch. Siler warned the champion against fouling. Maher drew first blood, from Fitzsimmons' lower lip.

It looked like the champion's fight—for little more than one minute. Suddenly Australian Fitzsimmons side-stepped one of Maher's terrific drives and hunched for delivery of a punch himself.

His fist thudded flush against Maher's chin. Maher's length measured the canvas, his head striking the floor with a thud.

Maher tried to rise; but after pulling himself to his hands and knees, he sank back down, inert. The fight lasted exactly one minute and thirty-five seconds, but the beer and red-eye lasted far into the night. The event brought the Jersey Lilly its greatest business to date. Out of respect of this liberal patronage, Judge Bean closed court for the day. The sky was the limit—at the bar or the poker table. Always thereafter Roy Bean looked back upon that as one of the brightest spots of his career.

BARKEEPER BEAN squinted through the door and watched with sympathetic and growing concern the miserable movement of a bedraggled individual coming from the railroad tracks toward the Jersey Lilly. The figure would move one foot ahead of the other with extreme difficulty, a wobbly stick lending questionable support to his tedious step.

When it was obvious that the figure was headed for the Jersey Lilly, Bean said, "Oscar, lend the pore devil a hand up the steps."

"Brother," the fellow muttered in famished tone, "I'm hungry and sick. Blood poison's set up in my leg. If you could spare me a little food and a little money to go to a doctor, I'd be grateful indeed, sir."

Bean poured the man a drink of forty-rod. "Oscar," he instructed, "fetch 'im a hunk of that beef outer the pantry."

He turned to the sufferer. "I'm a sort of doctor, myself, pardner. Set down there on the cot and stretch out. I'll see what I can do."

The man strained over to the cot. He groaned as he pulled his pants leg up

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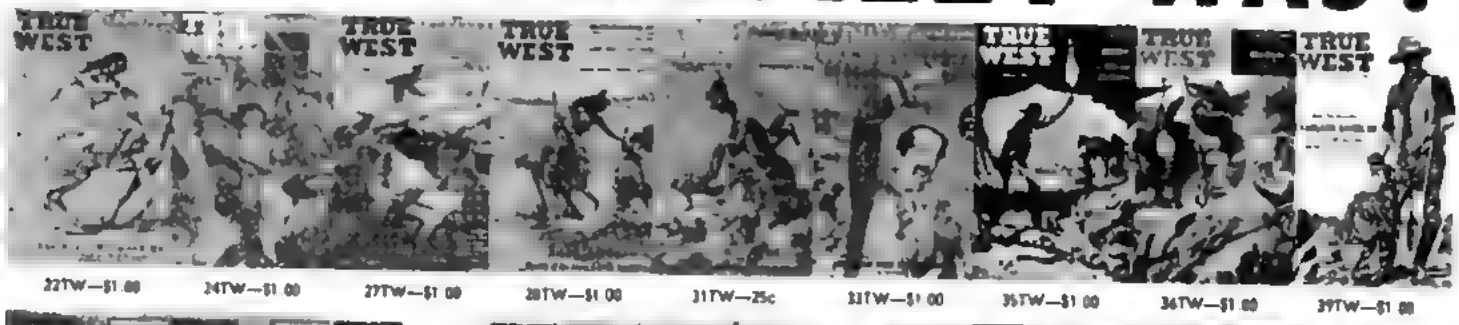

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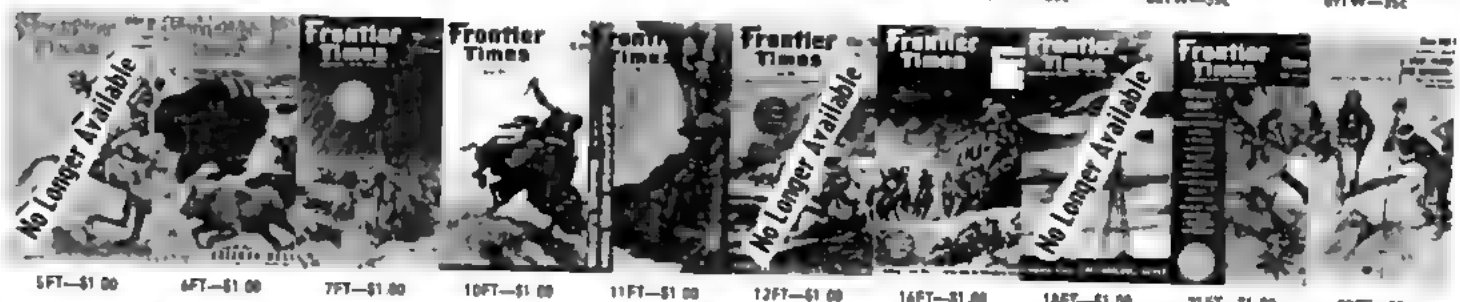

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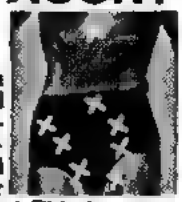

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to expose a short cut on his knee, reddened to a deep crimson.

Bean scrutinized the wound and the discoloration. Suddenly his expression registered a remarkable change. He whistled. "By gobs, this is serious," he remarked gravely. "Oscar, bring the saw and butcher knife. We got to operate at once. This pore devil's about—"

He did not finish. As the words penetrated the cunning brain of the hobo, the fellow made a flying leap toward the door. His feet touched the floor three feet inside, and they touched again six feet in front of the steps. They embraced the ground running. The hobo was never seen in Langtry again, but Bean kept the crude walking stick as a souvenir of the occasion. The discoloration had not been blood poison at all, but iodine.

Bean's reputation for aiding the underdog spread not only to the remotest borders of the Trans-Pecos but on beyond. In his later years, the greater part of his profits went to buy medicine, food and other necessities for the destitute Mexicans of the section.

As justice of the peace and leading saloonkeeper, Roy Bean gradually became a sort of alcalde to the neighborhood, performing wedding ceremonies, christening babies and arbitrating family troubles.

Marriages constituted a steady source of revenue. Even Bean himself appreciated the humor of the situation, especially in the days when he was not a legal justice of the peace and thus had no lawful right to perform marriage ceremonies; and he frequently interspersed his ceremonies with his unique sense of humor.

"Juan," he said in a typical ceremony, "do you take this woman for your lawful wife? The answer is 'Si, Señor.'"

Obtaining the befuddled promise from Juan, he turned to the girl. "Maria, you want to marry this sorry maverick?"

With the proper answers extracted from the participating parties, Bean dismissed them with, "And Lord have mercy on yore pore souls! Five dollars!" When the young husband did not have the five dollars, as was frequently the case, Justice Bean would permit him to work out the fee.

"Judge," a downhearted cowboy bemoaned one day, "that weddin' you give me shore didn't take. I cain't git along with that gal atall!"

Bean stroked his beard. His face brightened. "By gobs!" he exclaimed, "I guarantee all my weddin's. If yores ain't satisfactory, why, I'll just divorce you; but it'll cost you ten dollars." He reasoned that it was worth twice as much to get out of a bad bargain as to get into it, and he found the cowboy willing enough to pay.

THAT SET up the Law West of the Pecos as America's original "Divorce Mill." Practically any reasonable grounds for divorce met with the approval of the broadminded Court, providing the complainant had the ten dollars.

One Sunday Bean performed a double marriage ceremony and granted a twenty-five per cent discount because of the quantity purchase, as he explained it. About six months later the two couples came back.

"You made a terrible mistake, Judge," the spokesman explained. "Pedro loves my wife, and I love his. We want that mebbe you fix it up?"

Again the judge stroked his beard. He consulted the women. They verified the man's explanation. After considerable bargaining on the part of the principals, Judge Bean agreed to grant two divorces and perform two wedding ceremonies for ten dollars—a "steal," he emphasized to the happy couples.

With more technical law gradually encroaching upon the domain of the Law West of the Pecos on all sides, it was inevitable that eventually Judge Bean's authority to grant divorces would be challenged.

This challenge came in the person of an assistant district attorney from Del Rio. "You've got to cut out this granting divorces," the young attorney ordered. "You don't have any authority for such action."

Roy Bean eyed his hostile guest up and down. He spat toward the ancient brass cuspidor. "I marry 'em, don't I? What I do, I certainly got a right to undo, if it ain't done satisfactory!"

The attorney tried to explain that the procedure simply was not legal.

"Well," Bean replied, "I don't pay too much attention to technicalities. I run this here office on common sense principles."

"That may be," the prosecutor reflected, "but the fact remains, you can't unmarry people, as you say."

"Mebbe I can't," astute Bean rejoined, "but I do."

So far as the attorney was concerned, that settled the matter. Bean must not grant any more divorces. It was several hours before train-time, however, and old Roy was not one to permit opportunity to go unheeded.

He inveigled the lawyer into a poker game. By the time the Del Rio train steamed into Langtry, the attorney not only had lost more than $200 to Bean—all the cash he had—but he was in debt to his opponent $30.

As the assistant district attorney stepped aboard the train, he reassured his host that he would remit the $30 in a few days.

"That's all right, young feller; just forget the thirty."

The attorney did—and his orders to Bean about granting divorces, too.

"Judge," announced a newly-arrived Texas Ranger, "I charge this man with carrying concealed weapons. I want him tried."

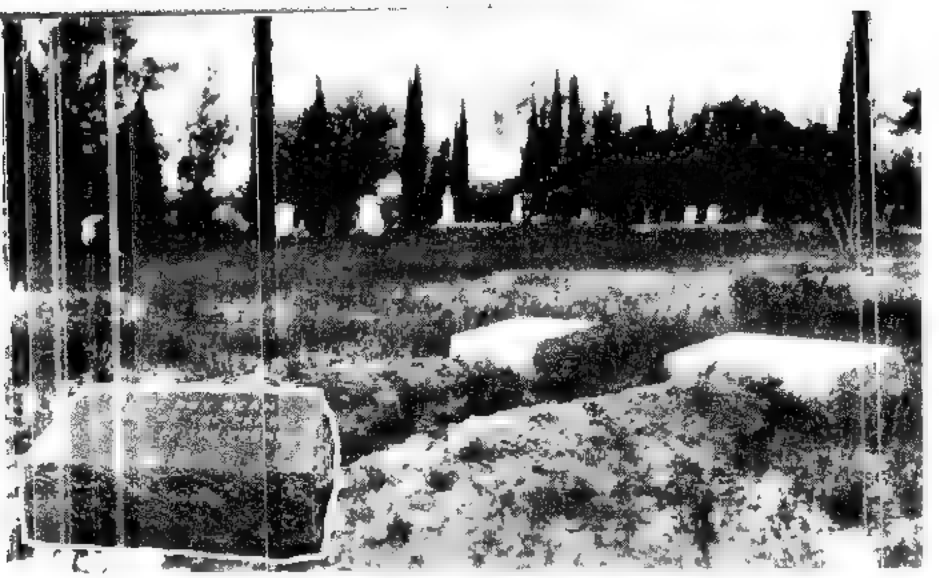
More and more these Rangers were interfering with the proper dispensation of justice west of the Pecos; and Bean was growing impatient. Furthermore, it would be preposterous, he reasoned, to prohibit peaceful citizens from carrying guns, when every outlaw in the district always went armed.

"Was this prisoner walkin' or standin' still when you arrested him?" he asked solemnly.

The Ranger pondered the strange question a moment. "Why, he was standing still, of course."

"As I thought. So, if he was standin' still, he couldn't be carryin' concealed weapons," he announced in a tone of finality. "And if he was walkin', he was a traveler; and you, as loco as you are, know a traveler's got a right to carry a gun. Case dismissed; and don't be clutterin' up my place with such piffle. By gobs, that's my rulin'!"

JESUS TORRES wore a contented smile as he alighted from the train. He hailed Judge Bean in jovial manner as he strode in quick step in front of the Jersey Lilly. He had a greeting for everyone he met as he walked briskly on



The graves of Judge Bean and his son, Sam, at Del Rio. Tombstone on Roy's grave is inset.

down the narrow street to his own little domain.

"That lobo's got somethin' up his sleeve," Bean commented to his friend Dodd. "Looks like he won't ever learn who's law around here."

In a few days Torres' change of manner was explained. Posters announced a special election for the purpose of naming a bona fide justice of the peace for the Langtry precinct. Torres had gone to Del Rio and persuaded the officials there that if they would order an election he could beat Bean; and he assured them that if elected he would run the office according to their advice and by their cooperation. It was the chance they had awaited to oust the defiant Roy.

The Law West of the Pecos ignored the order with colorful disdain. "If I want an election out here, by gobs I'll order it!" he declared. He made no electioneering effort whatsoever in his own behalf.

Torres had a special motive for bringing about the election at this time. There were about 400 Mexican railroad hands building a three-mile cutoff; and in his cunning manner he had been able to work up considerable class hatred among his countrymen against Bean.

The outcome was that when the ballots were counted, Torres was declared justice of the peace. The fact that the majority of the 400 railroad workers were not qualified to vote did not deter them or Torres in the least.

Proudly the justice of peace-elect boarded the train, went to Del Rio and qualified for the office. Back in Langtry, he boldly invaded the Jersey Lilly and demanded that Bean turn over the office.

Billy Dodd avoided an assassination of a public official-elect by the narrowest margin. Only by the most earnest argument did he dissuade the thoroughly riled Bean from turning his guns upon the contemptuous Torres.

"Well, by gobs," he finally declared, "the statutes says that a justice of the peace serves till his successor is duly qualified. If you can find a bona fide citizen of this precinct who'll swear that you're qualified to hold this here office, well, by gobs, you low-down, black-livered son-of-an Angora goat, I'll turn the office over to you; and not before. And that's my rulin'!"

They argued back and forth about the office for six months, old Roy continuing to exercise the duties thereto. Eventually, however, Dodd and other citizens induced Bean to relinquish the place to avoid interference from Del Rio.

Within a few weeks the citizens persuaded the authorities that it was time for another election, and they voted Judge Bean back into office.

But Torres and his effrontery at this time personified the changing scene, and nobody recognized that more than Roy Bean himself.

Rangers frequented the domain of the Law West of the Pecos with disgusting regularity; Governor Culberson gave out an interview, in which he declared that lawlessness west of the Pecos must end. The district attorney became more and more technical in his attitude toward Bean's court.

"Billy," Roy said, his voice tired and slow, "I'm goin' to retire from office at the end of my term. I want you to run for my place. You know how to op'rate with these new-fangled ideas, and I don't. All I know is the laws of common sense and six-guns; and they're goin' out of fashion, fast."

With his friend Dodd in office, Bean retired to the red-eye end of his beloved shack and there dispensed his wares and recounted the glamourous days of old Vinegarroon and the deeds of Langtry in its swaddling days. More and more he patronized his own establishment. Those who knew him well understood; others began to see in him only an old Westerner who had outlived his time and lost his grip.

One morning he awoke and squinted out of his back window. His bloodshot eyes blinked. There had been rumors of the plans of a power company to build a dam on the Pecos, but old Roy refused to believe it. Now, he knew it was true; for workmen were stacking sacks of cement on the siding. His old eyes dimmed in mist.

Verification of this rumor seemed to take something out of the Law West of the Pecos, something from his stout old heart that never would return. He lost interest in his business; he drank more and more. News came to him of the "cleaning up" of El Paso and of the shooting of John Wesley Hardin.

"Billy," he muttered sadly, "I've lived my life. I've come to the sunset of my trail. The country has moved along and left me; left me, without leavin' a place for such old reprobates as me. Why, Billy, they're even crushin' the spirit of the Pecos!"

Three days later, between sunset and dusk, he died peacefully in the arms of Billy Dodd, his friend.

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Truly Western

(Continued from page 4)

tian who would be kind enough to contact me as I am most interested in this old badman. Later he was in Goldfield, Nevada, in the "rush" there about 1906. He may have been in Rawhide, Nevada, also. And in 1910, or thereabouts, he was on trial for his life in Roswell, New Mexico. I am currently trying to sort out some biographical notes on Musgraves and would appreciate hearing from anyone who knew him at any time in his career.

All of us English Westerners want you to keep up the good work. You're publishing great magazines.—Colin Rickards, 143 Gray's Inn Road, Holborn, London, W.C.I., England.

A Good Old Texas Family

'Lo Soaks:

In the June '65 TRUE WEST I enjoyed your article on "Comanche Ambush" by Walter Gann. His characters are some of our ancestors, Rich Coffey and his wife, Sallie Maxwell. She was a sister to Solomon (Horse) Maxwell and Ike Maxwell, a Campbellite preacher. Horse Maxwell had the old ferry on the Colorado River where Buchanan Lake is now.

I would like to hear from some of the descendants of Rich Coffey. I have one tintype that is tinted and his buffalo robe, with tail tassel on top of hood, made sometime in the 1860s or 1870s.

Some people don't give a hoot where they were dropped or strayed to, but "kinfolks" is all I've heard all my life. —Inez Ward, Rt. 1, Box 40, San Angelo, Texas

Buffalo Hunter

Dear Sir:

My wife, Mrs. Charles Blake, is the daughter of H. H. Raymond, the buffalo hunter who wrote the only authentic diary of buffalo hunting days around Dodge City known to exist. H. H. Raymond hunted buffalo with the Masterson boys—Bat, Ed, George and Jim—during the years of 1872 and 1873. He also homesteaded and lived near the parents of the Masterson boys in Sedgwick County.

Recently an article about him appeared in your magazines. After hearing Mr. Raymond's stories of frontier days, we are always interested in all stories of that period.—Charles G. C. Blake, 1328 West 20th Street, Wichita, Kansas 67203.

Alexandra

Dear Sir:

We were exposed for the first time to the February issue of TRUE WEST, a truly great edition. The article on Alexandra was well written and so nostalgic for us that it brought tears to our eyes. Our home will not be without this magazine for months to come.

Thought you'd appreciate praise from a new reader.—Mrs. Vivian Pilcher, 1651 Gulf Avenue, Wilmington, California.

Dear Editor:

The article on the old ghost town of Alexandra, Arizona, located between Mayer and Crown King in the Bradshaw Mountains brought back memories of my younger days when we lived on an old ranch between Dewey and the Heron smelter east of Mayer.

Father was construction engineer when the Heron Smelter was built in the summer of 1903. When I was not in school I had to herd Angora goats and we had about 150 head. Late one afternoon I ran a rabbit into a hole. I left the goats to take care of themselves, and proceeded to dig out the rabbit. I was not paying any attention to time—the sun had gone down before I located them. They were already bedded down for the night in old Alexandra, near where one of the last dwellers lived. So I left them there and went on home. Father had come home from work and when he saw I had not brought the goats in, he sent me back for them.

The moon had come up and I could see fairly well, but I was soon scared when I heard a coyote howl. When I got to the goats I could not get them to travel in the night, so had to leave them. When coming down the hill back of the ranch, I fell in prickly-pears and ten years later the spines were still working out of my legs.

Father quit his job at the smelter that fall and we sold the goats and started to Colorado with a four-horse team and a double-deck spring wagon. We went by the way of Camp Verde, Stoneman's Lake, Holbrook, Durango, Colorado and over the Divide, down the Arkansas River to Canyon City, Colorado.

I have not had a chance to wander over the hills into the old town since, but I have now retired and may let you know when I again look the old town over. I was born in 1895 in a little mining town near Westcliffe, Colorado, and I enjoy every issue of your swell little magazine, and watch for every issue.—Rufus Willey, 1631 Beverly Rd. SW, Albuquerque, New Mexico.

Sky-watching in the Old West

Dear Sirs:

I am requesting permission to reprint the item, "Galisteo's Apparition," which appears in a back issue of TRUE WEST. With your permission, this will be reprinted in our amateur bulletin, the Interplanetary News Service Report

The Interplanetary News Service is a group studying reports of unidentified flying objects and related subjects. We believe that there may well be a connection between this report of an apparent "balloon," and our present-day sightings of unidentified flying objects, more commonly known as "flying saucers."

The description given of the "balloon" is similar in many respects to reports of mysterious "airships" seen in the late 1880s. Many reports of these objects were made in the years of 1896 and 1897.

We will certainly appreciate your cooperation in this matter. I am hoping to hear from you soon in regard to this. —Lucius Farish, Route One, Plumerville, Arkansas 72127.

Fatal Noose

Dear Sirs:

I have read with much interest "Mexican Hanging Affair" in your June, 1965 issue. I have the hanging rope that was used to hang the Mexican. This rope was in the old Newt Prince collection of Western Relics. He died in 1955 and I got it and part of his gun collection. A note was with the rope stating it was used to hang one white man, two Mexicans and one Negro. I spent a lot of time and money getting all the information.—J. Paul Turner, Star Route, Sweetwater, Texas.

W. Wallace Terry

Dear Joe:

I saw an article in a Sacramento, California, newspaper that may interest your readers. It stated that "W. Wallace Terry, who died recently, was buried in Lincoln. Terry was a native of Kansas, and spent his childhood and early years as a cow puncher on the Old Chisholm Trail. His family homesteaded in Oklahoma, taking part in the historic land rush of 1889. At one time he was associated with the famed 101 Ranch Buffalo Bill Show. His gun collection brought him fame." He may have friends among your subscribers.—William S. "Bill" Peterson, P. O. Box 657, Sparks, Nevada.

Before Vandals

Dear Editor:

In the early 20s when I was employed by the U. S. Forest Service in Nevada, I spent many hours and traveled hundreds of miles around the northern, western and central portions of the state. I visited abandoned mining camps and ghost towns by the dozens. Roads were just trails in many instances, and there were no antique hunters in those days. I found houses with most everything in them, graveyards not even disturbed, and so many things. I could have packed off all kinds of interesting items, old papers, odds and ends, letters, some dated back in the 1860s and 1870s. Later visiting some of these places, I find they have been looted, even the gravestones and headboards taken away. To get to the old towns, Bodie, Aurora, Fairplay, Bullfrog and so many more was a gambling chance in those days. A breakdown would mean a walk of many, many miles as seldom anyone would even know about you out in these wild areas.

With a supply of water, canned goods, bedroll, cot and a few extras, when night hit, I would stop the car in a clear spot, roll out the blankets and sleep till daybreak. I never had an accident, never had a breakdown, and took in many of these old camps. In some cases only one or two families or a single man still lived there; sometimes there was no one. I saw quite a few wild horse bands on these trips out in the sage-covered country. Keep your good magazine coming. Surely enjoy every story in it. —Walter S. Young, Box 74, Genoa, Nevada, 89411.

Polite Badmen

Dear Editor:

Thanks so much for the wonderful memories "In Defense of Ingalls, Oklahoma" in TRUE WEST, brought back. My only wish is that the author had written it sooner so that my mother and father could have enjoyed it too. My father, Elvin W. McKaughan, lived there many years as a young man, raising broom corn to help his widowed mother raise her large family. Later my youngest aunt, Miss Cora McKaughan, became the school teacher and stayed until the town died away.

In 1889 my father made the run in the Cherokee Strip, homesteading several miles north of Ingalls. I remember mother telling of the Dalton-Doolin gang coming to their farm several times asking her to fix them a meal. She knew who they were, but in those days when a stranger came to your door and asked for food you fixed it with no questions asked. While she was busy in the kitchen the men stayed outside watering and currying their horses and would then

(Continued on page 72)

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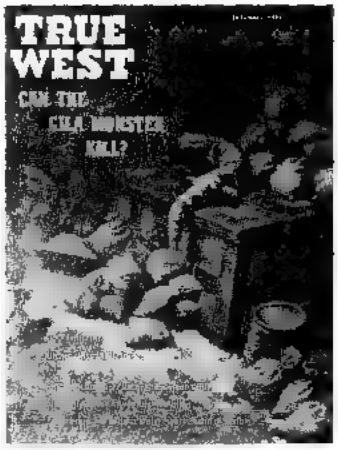

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head for the spring to bathe and clean up. They were always very well-mannered and she never once feared for the lives of her young children or herself, even though most of the times my father was in the field.

I recall hearing stories of some of the men Mr. Kerr mentioned in his article—Cal Owens and Billy McGinty. And I had the privilege of knowing Pawnee Bill personally. What a wonderful, beautiful, little old man, so devoted to helping his less fortunate redskinned friends. I can still see the "Colonel" running around with his fast, short steps, so rugged-looking with his well-tanned face and run-over boots; yet so sophisticated looking with his beautiful long wavy white hair. What fun I always had, as a kid, when we drove to Pawnee, inspecting the tepees, wagons, and cattle skulls in the yard and admiring the beautiful handwork inside the trading post. I still think the Pawnees do the most beautiful beadwork of all the tribes. The day was always complete when we sat down to a huge barbecued buffalo sandwich.

Since I wasn't born till my father was fifty, Ingalls history is like a fairy tale remembered only through stories told to me, but I was raised in Stillwater, Oklahoma, and went all through school with the Dalton, Doolin, and Selph children who were direct descendants of that proud little town.—Minniebell McKaughan Perkins, 4921 Century Dr., El Paso, Texas 79924.

Clues to Missing Kin

Dear Sir:

If you can find a space to publish this letter, I would appreciate it. From time to time I notice letters to you in which persons are seeking information concerning lost kinfolk of days past.

The University of Oklahoma Library doesn't go in for this sort of thing, of course, but in the Phillips Collection is a lot of material of the white and Indian pioneers of Indian Territory and Oklahoma Territory. Most of this is not found except in special collections like this one. The worst part about it, most of it has no index. However, we are trying to remedy this. Right now the 119 volumes of the Indian-Pioneer Papers are being indexed.

Anyway, this collection is a goldmine of information for folks. And if anyone would rather hire somebody to do the work for them, I'll be glad to see what I can find.

The main trouble with this sort of research is that you keep running across good yarns, with no way to verify their truth.

Your publications have come a long way since that first one. More power to you.—Jane Howe, P. O. Box 2565, Boulevard Station, Norman, Oklahoma 73071.

Fort Henrietta Has Been Found!

Dear Sirs:

I am writing about your story "Where Was Fort Henrietta?", I know, as I was born in the old stockade house at Fort Henrietta, and was named for the Fort. I am the only person named for that particular Fort.

My mother, Beulah Barker, at one time owned the Pedro place and she sold it to Harry Andrews.

The Fort in later years belonged to Alpha Teel and her son Jack.

I was born October 3, 1922 in Alpha Teel's house and it had been the stockade house. This is about a mile west of the river and to the left of the Pedro place against the hill.

Lower Wells Spring and Upper Wells Spring are about thirty miles from Echo in what was called Mule Canyon.

My grandparents settled on Big Butter Creek twenty-five miles from Echo at Galloway, Oregon, in 1855. They came from Sublimity, Oregon. If I am not mistaken I think that my mother got her water supply from the well that the soldiers used.

In the picture in your magazine are men that I have known all of my life.

Jess Mathes and Shine Markham are both still living. The rest of the men mentioned in the pictures are gone.

So, everybody is wrong about where the Fort was built. I know—I was born there.—Henrietta Helms McLouth, Box 14, Walla Walla, Washington.

A Trip on the Cow

Dear Mr. Small:

After reading the interesting articles in your magazines, I thought you might be interested in an incident that happened to me as a very little girl, down in Oklahoma.

I was born in a sod house built into the bank, on a claim in Indian Territory, in 1905. The claim was on Skip-out Creek, and neighbors were few and far between. When I was still too young to go to school, my older sister invited me to visit her. We lived in Cheyenne, in Roger Mills County, Oklahoma, and she was a milliner in Roosevelt, Oklahoma. The distance from one of the places to the other would be but an hour's drive today, but then it involved going by hack, (a two-seated buggy, with fringe) and a dancing team, to the railroad, probably five miles away at Strong City. This hack came to the door and, with a railroad ticket and a note pinned on my bosom to identify me, I set out on the journey.

The conductor took me under his wing and instructed me where to sit. How well I remember his leaving me instructions to watch for him out the window. And as the train pulled to a stop for a second and then moved on, I saw the conductor standing holding a large wooden gate open, for the train to pass through, and giving it a swing to close it as he swung onto the back of the train. He laughingly said to me after, "The C. O. and W. can't get through if I don't open the gate." Later I learned this was the initials of the line, and we must have opened three or four gates for the "Cow" on the trip.

In 1910 our family traveled by covered wagon to Colorado from Cheyenne. We encountered unimproved road conditions, forded the quicksand of the Canadian River and were crossing New Mexico when there was an invasion of army worms. I still shudder at the thought, for there were worms everywhere. We were accustomed to putting mattresses on the ground at night when we made camp but there were just too many crawlers. My mother finally prevailed on the man at the wagonyard at Clayton, New Mexico, to let us use the floor of the rest house. I have since seen invasions of grasshoppers, but nothing can compare with that sickening mess of worms.—Mrs. Alice M. Kroeger, Box 157, Cody, Nebraska.

Winter Is Coming On

Dear Joe:

I'll bet my fellow readers of your magazines can help me. I am making a collection of old-time remedies for the common cold. I don't care how crazy they sound, just so long as someone has tried them.

I am especially interested in old Indian remedies, and those used by the early settlers. After all, doctors were scarce on the frontier and the people had to have their own good treatments or they didn't survive.

I will be most grateful to everyone who replies.—Wayne Pennington, Suite 1300, 640 Fifth Avenue, New York, New York 10019.

Columbus Raid

Dear Sir:

I just finished reading the story in TRUE WEST, "I Could Have Saved Columbus" and I really enjoyed it. Arthur McKinney that Juan Favela mentioned was my own cousin. His father was William McKinney. My father was Thomas C. "Kip" McKinney who was with Sheriff Pat Garrett and John Poe when Pat Garrett killed Billy the Kid at the Pete Maxwell home at Ft. Sumner. He used to tell us of things that happened when he was a Texas Ranger and deputy of Garrett. He was buried in Carlsbad, New Mexico, in 1915.

Reading the story brought back many memories. My mother often wondered why Columbus was so unprepared for the attack and now I know. Arthur's sister and her husband were also wounded at Columbus.

My husband subscribes to your magazines and we enjoy reading of so many old-timers we have known. Keep up the good work.—Mrs. Alva McKinney Huffman, Route 1, Hotchkiss, Colorado.

A Few Memories

Dear Sir:

Your magazine is a dream of old times to me. My grandfather, Tim Parada, emigrated from the East Province of Quebec about a hundred years ago. I am eighty-seven years of age.

Grandfather staked a claim near Coffeyville, Kansas, farming with the help of his large family. My mother could not speak English. Grandfather hauled freight to Arizona, also helped build the railroad across the continent. Grandmother died while Grandfather was on a trip. It was the custom to open the grave so the husband could see his wife. Her body had turned to stone—they said because of a stream running through the grave.

Your August '64 issue is my favorite because of the cover. I know all the chinaware. That is a box of seeds, isn't it? The churn is great, only I didn't have that gadget. Mine was hand-worked. That looks like a fluting machine, to flute ruffles. We had slat bonnets, not starched. Those tight sleeves were so tight they cut your arm.

Once my mother was in a room sewing with a group of girls. Sam Bass appeared at the door and begged the girls to hide him. At that time ruffles were the rage—dresses had ruffles from belt to hem. There was a huge pile of ruffles on the floor. The girls told him to crouch down and they completely covered him—to all appearances just a heap of ruffles and a room full of girls very busy sewing—machines noisily humming away. The officers came to the door and inquired if they had seen the famous bandit. Surprised and frightened, the girls, of course, hadn't seen the awful man. Another very narrow escape for Bass.

My cousin, a Parada, taught dancing lessons to the elite of San Francisco about 1890. My Uncle Tol Parada of Bartlesville, Oklahoma, was in the run in the Nation. You can be sure I do not miss a word in your magazine. —Leena Marchand, Llano, Texas.

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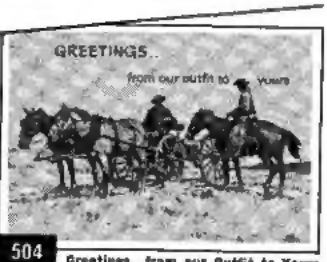

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505 **Cow Country Christmas** — Western verse by S. Omar Barker

506 ***Silent Night*** — May the Spirit of Christmas abide with you throughout the coming Year

507 **Special Delivery**—Appropriate verse by S. Omar Barker

510 **"The Lord is my Shepherd"**—The 23rd Psalm and greeting

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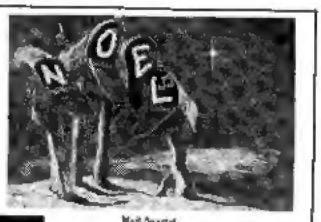

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517 **Christmas Eve Callers**—Appropriate verse by artist

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524 **The Lord's Candles**—Western verse by S. Omar Barker

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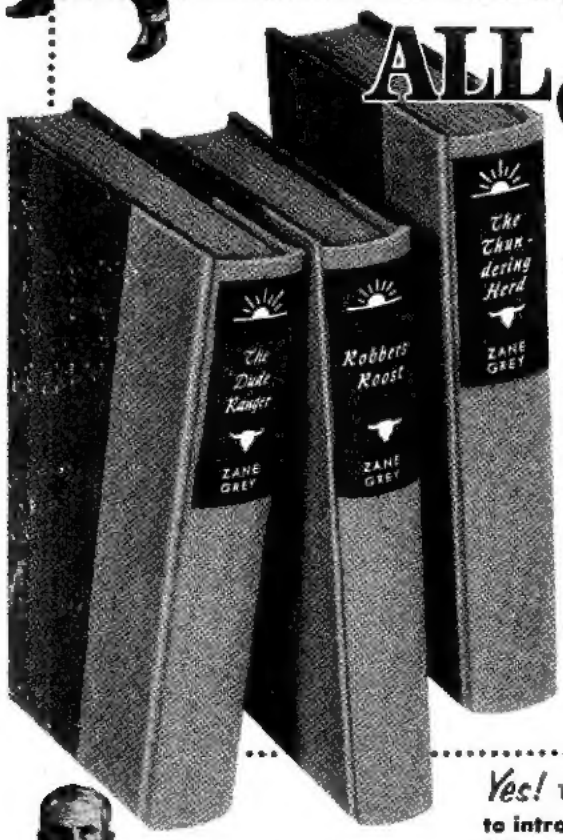

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